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**Meeting of Experts on the  
Implementation of the  
Yamoussoukro Declaration**

**7-8 September 1994  
Mauritius**

**PROPOSALS TO ACTIVATE THE IMPLEMENTATION  
OF  
THE YAMOUSSOUKRO DECLARATION**

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**I. INTRODUCTION**

1. What can be seen from the analysis of the implementation exercise is that inertia, impediments and other problems have been in the way. It has become necessary to take remedial action to articulate what needs to be done more precisely and to review the mechanism and time frame for carrying out the various phases of implementation. A clear and positive position must also be adopted regarding the exchange of traffic rights and the creation of an environment that makes for the expansion of African and international air transport activities.

**II. PROPOSED SOLUTIONS ACTIVATING THE IMPLEMENTATION EXERCISE**

2. Based on the analysis of the problems and bottlenecks identified, a few suggestions have been made below in order to activate the implementation of the Declaration.

**2.1 The Yamoussoukro Declaration as the basis of an African Air Transport Policy**

3. In the broader perspective of the implementation process, one of the first actions to be taken within a regulatory framework as stipulated in the Declaration will be its adoption by African governments as the basis of their national air transport policies. The incorporation of the Declaration into national policies will move it forward from the current stage of indicative and general planning and measures to the point where it becomes an official statement of principles. African countries should be allowed one year to finalize this procedure.

4. ECA, working in cooperation with subregional organizations, could be entrusted with the responsibility for following up this activity.

**2.2 Traffic rights**

5. Member States should agree to exchange traffic rights in accordance with the following policy framework:

**(a) Within the African subregions**

6. The exchange of traffic rights should be liberalized over a two year period as follows:

- Exchange first and second freedoms freely without limitation;
- Exchange third and fourth freedoms freely without restrictions;
- Exchange fifth freedom traffic rights by granting those rights without conditions. On sectors where there are no third and fourth freedom operations;
- Where third and fourth freedom operations exist up to 20 per cent of the traffic (based on the total traffic of the previous year) on the route, should be granted to fifth freedom operations provided however, that 80 per cent of the total traffic on the route is reserved for third and fourth freedom operations;
- Not impose restrictions on aircraft type used by the designated carriers on the route on which traffic rights have been granted subject only to the requirement that the aircraft type operated meets national and international safety, security and environmental regulations;
- Permitting combination of points on scheduled services except that the exercise of traffic rights shall be in accordance with the policy guidelines contained in this document; and
- Granting full and unrestricted traffic rights for all cargo operations except that where there is a designated airline operating on the requested route, the effect of such a policy should be carefully be evaluated before applying it on that route.

**(b) Relations among subregions**

7. In respect of relations with other African States outside a particular subregion, the following framework will apply:

- (i) Transit rights (first and second freedoms) should be freely exchanged without limitations;
- (ii) Regarding third and fourth freedoms, the ultimate objective to be pursued will be to ensure that within a period of ten years, daily flights can be operated between two intra-African city pairs with each country being authorized to operate four weekly frequencies as follows:

Third and fourth freedom traffic rights of at least two frequencies between city pairs of the subregion should immediately be exchanged freely if the volume of traffic so warrants. Such frequencies will be automatically raised to three or more frequencies;

Within a maximum period of ten years, the exchange of third and fourth freedoms should facilitate the introduction of daily flights with each airline operating four frequencies or more if the traffic so warrants;

In the event that one country is unable to operate its share of the services, the other party should be allowed to operate that party's share of services under a commercial agreement. The party operating such services should be required to reduce its services to a level that allows the other party to enter the market when it so decides.

- (iii) Flexible exchange of fifth freedom traffic rights up to specific percentage would be granted without any conditions in order to enhance the African air transport network, it being understood that 80 per cent of the traffic on any given route will at all times be reserved for third and fourth freedom operators. Where there is no service between two points, unrestricted fifth freedom rights should be granted without any conditions;
- (iv) Permitting combination of points on scheduled services except that the exercise of traffic rights shall be in accordance with the policy guidelines contained in this document; and
- (v) Granting full and unrestricted traffic rights for all cargo operations except that where there is a designated airline operating on the requested route, the effect of such policy should be carefully evaluated before applying it on that route.

8. The coordination machinery set up to follow the implementation of the Declaration will bear responsibility for monitoring and enforcing the traffic policy adopted.

### **2.3 Role of governments and airlines**

9. The pursuit of the commercial objectives set forth in the Declaration will depend on the support and dynamism of African governments and airline authorities. Over the past five years, African governments have failed to include subregional cooperation and integration in their airline restructuring policies.

10. For the commercial and technical cooperation objective to be attained, African governments should urge airlines to institute cooperation and integration programmes for the period 1995-2000.
11. Furthermore, African governments should revitalize the airlines by way of adequate capitalization so as to eliminate the need for subsidies.
12. With regard to skilled manpower which is very difficult to find, everything should be done to retain such staff within the airlines with a view to creating a stable management environment and ensuring policy continuity.
13. African governments and subregional economic groupings will be responsible for monitoring the activities described above.

#### **2.4 Coordination mechanism**

14. It is necessary to set up a regional coordination mechanism with similar machinery operating at the subregional level. As the coordinating agency, ECA should assist the subregional coordinating ministers in instituting and organizing the activities of the regional and subregional coordinating mechanisms. In this regard, ECA should work in cooperation with OAU, AFCAC and the African subregional organizations. The composition of the coordinating machinery will be as follows:

**(a) Regional mechanism:**

- The designated subregional coordinating ministers;
- The President and Secretary-General of AFCAC;
- The President and Secretary-General of AFRAA;
- The Director in charge of Transport and Communications at ECA;
- A Representative of the OAU; and
- Representatives of existing subregional groupings.

15. The regional machinery should meet each year under the chairmanship of the coordinating authority designated at each meeting to assess progress made and to take remedial action.

(b) **Subregional level:**

- The current coordinating minister: (Chairman)
- Directors of civil aviation;
- Chairman and/or managers of airlines; and
- Representatives of the subregional organizations

16. The coordinating minister will bear responsibility for organizing subregional activities. In this regard, he should set up appropriate permanent structures for monitoring the subregional implementation of the Declaration. He should also organize periodic meetings and maintain permanent contact with other ministers of the subregion in order to solve problems brought to his attention by the countries and/or ECA and other African subregional organizations.

**2.5 Time-frame for implementation:**

17. African governments and airlines should take the necessary measures for implementing the various phases of the Declaration. The completion of **phase III** should be considered as an objective to be attained, if possible, by the **year 2000**.

**2.6 Convention establishing the African air tariffs conference**

18. The legal expert of AFCAC are considering this issue and the conclusion of their work will be submitted to the meeting in Mauritius.

**2.7 Consideration of aspects relating to civil aviation and airport authorities**

19. African governments should give civil aviation and airport authorities the necessary latitude for independent management of their operations.

**2.8 Additional measures**

20. The additional measures listed below will be necessary for creating an environment that makes for the expansion of African and international air transport.

(a) **Unification of African airspace**

21. African governments shall take collective action for purposes of the unification of Africa's fragmented airspace either on a regional or a subregional basis and for the

harmonization of the operation of airspace control organizations to enhance safety in the air and for the facilitation of group implementation of the Future Air Navigation System (FANS) with a view to reducing costs.

**(b) Taxes and charges**

22. African governments should back the consensus achieved on this issue at the forthcoming special conference on air transport to be held in Montreal from October to December 1994.

**(c) Facilitation**

23. The improvement of infrastructure and facilitation are closely linked to the enhancement of air transport operations in Africa. Both help to ensure that the main advantage of air transport (its speed) is not offset out by the bureaucratic inertia and loss of time occasioned by red tape. African governments should recognize the need for:

Simplifying border-crossing formalities for aircraft, passengers and freight; and

Pursuing the ICAO facilitation programmes in accordance with the recommended standard and practices contained in annex 9 of the Chicago Convention and inform ICAO of any difference between annex 9 and their national laws.

**(d) Remittance of funds**

24. African countries should facilitate the transfer of the revenue surpluses generated by African airlines.

**(e) Designation of airlines**

25. The designation of a carrier should be conditional to the approval by the States concerned of broadened criteria whereby an African State would be free to designate a carrier belonging to its economic grouping or community of interest particularly with a view to the integration of African airlines.

26. The broadened criteria accepted by states should, in Africa, consider the most rational use of resources, particularly Africa's human and financial resources, the cleanliness and registration of aircraft in order to avoid the use of flags of convenience.

## SUMMARY TABLE OF ACTIVITIES AND PROGRAMMING

Activities	Responsibility	Monitoring agency	Programming
Incorporation of the Yamoussoukro Declaration into national air transport policies	African governments which should inform ECA and the subregional organizations of activities undertaken	ECA, ECOWAS, ECCAS, SATCC, PTA and AMU	January 1995 to December 1995
Gradual liberalization of traffic rights	African governments	Regional and subregional coordinating machinery operating under the coordinating ministers of each subregion and the current president of the regional mechanism	January 1995 to December 1996
Establishment of cooperation and integration programmes among African Airlines and revitalization of airlines	African governments and Airlines	Governments and subregional economic organizations	January 1995 to December 1995
Institution of regional and subregional coordinating machinery	ECA in cooperation with OAU, AFCAC, AFRAA and the subregional economic organizations	ECA, OAU, AFCAC, AFRAA and the subregional economic organizations	January 1995 to December 1995
Activation of regional and subregional coordinating machinery	Chairman of the regional mechanisms. Coordinating minister of each subregion	ECA, OAU, AFCAC, AFRAA and the subregional economic organizations	January 1995 to December 1999
Convention establishing AFAATC	African governments	AFCAC, AFRAA	
Accompanying measures	African governments	ECA, OAU, AFCAC, AFRAA and the subregional economic organizations	January 1995 to December 1999