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REPORT

OF THE MEETING OF AFRICAN EXPERTS ON THE IMPLEMENTATION OF THE YAMOUSSOUKRO DECLARATION

7 - 8 September 1994
Grand Bay, Mauritius

TRANSPORT, COMMUNICATION AND TOURISM DIVISION

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A. ORGANIZATION

1. The meeting of the Experts on the implementation of the Yamoussoukro Declaration was held in Mauritius on 7 and 8 September 1994 at the kind invitation of the Government of Mauritius.

B. ATTENDANCE

2. Representatives of the following member States of the Economic Commission for Africa participated in the meeting:

Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroun, Cape Verte, Central African Republic, Chad, Comores, Congo, Côte d'Ivoire, Egypt, Eritrea, Ethiopia, Gabon, Ghana, Guinée, Kenya, Madagascar, Malawi, Mali, Morocco, Mauritania, Mauritius, Mozambique, Namibia, Niger, Nigeria, Sénégal, Seychelles, South Africa, Sudan, Swaziland, Togo, Tunisia, United Republic of Tanzania, Chad, Uganda, Zaïre, Zambia and Zimbabwe.

3. The following airlines, African intergovernmental organizations and United Nations specialised agencies were also represented: Air Afrique, Angola Airlines (TAAS), Air Botswana, Air Burkina, Air Burundi, Egypt Air, Eritrean Airways, Ethiopian Airlines, Air Gabon, Ghana Airways, Cameroun Airlines (CAMAIR), Air Ivoire, Air Tchad, Kenya Airways, Lina Congo, Air Malawi, Air Madagascar, Air Mali S.A., Air Mauritanie, Air Mauritius, Air Namibia, Nigeria Airways, Cape Verte Airlines, Air Seychelles, Royal Air Swazi, South African Airways, Sudan Airways, Air Tanzania, Tunisair, Uganda Airlines, Air Zimbabwe, Organization of African Unity (OAU), United Nations Development Programme (UNDP), African Development Bank (ADB), African Airlines Association (AFRAA), Agence pour la sécurité de la navigation aérienne (ASECNA), African Civil Aviation Commission (AFCAC), Economic Community for West African States (ECOWAS), Southern Africa Transport and Communications Commission (SATCC), International Air Transport Association (IATA), International Civil Aviation Organization (ICAO) and Indian Ocean Commission (IOC).

4. The following attended the meeting as observers: Bombardier Inc., Air Transport World, Flight Spares, SITA, European Union and France.

C. OPENING OF THE MEETING

5. In his keynote address, Sir H.K. Tirvengadum, representative of the Government of Mauritius, welcomed all the participants to this very important meeting on the Yamoussoukro Declaration held to take stock of the progress achieved and to debate and agree on the course of action to be taken in order to complete the implementation process. He cited the fundamental problems encountered, the progress achieved and proposed solutions which included the reactivation of dormant traffic rights, airline

cooperation, financing of aircraft leasing, commercialization and opening up of the airlines shareholding to African private capital.

6. He reminded the meeting that success in the implementation of the Yamoussoukro Declaration could only be achieved through adoption of simple, practical, realistic and professional approaches.

7. Mr. Mpekesa Bongoy, Chief of the Transport, Communications and Tourism Division of the United Nations Economic Commission for Africa thanked the Government and People of Mauritius for hosting the meeting and for the warm welcome accorded to the participants since their arrival. He also thanked the participants for showing the importance they attached to air transport issues by taking their time to attend the meeting.

8. He recalled the problems encountered and progress achieved since the Yamoussoukro Declaration on a new African air transport policy was proclaimed by member States and the problems encountered in the implementation and implored the meeting to continue to seek ways and means of implementing this very important Declaration.

9. Captain Mohammed Ahmed, the Secretary-General of AFRAA stressed the need for a coherent and specific policy on the exchange of traffic rights between and among African States with the ultimate objective of strengthening African airlines and promoting the development of the African air transport industry through gradual relaxation of the exchange of traffic rights in Africa.

10. In this regard, he recommended that governments should take at the national level, required legislative or other regulatory measures to adhere to the Declaration and also ensure that airlines and all appropriate organs under their authority do not digress from the intent of the Declaration. In turn, African airlines had to contribute towards the successful implementation of the Declaration by overcoming their apparent reluctance to cooperate with the other African airlines. They had to enter into cooperative ventures between and among them even if this meant foregoing short-term rewards in favour of long-term benefits which would result in the overall development, if not actual survival of African airlines.

11. The text of the various statements delivered are attached to this report (annex 2).

D. ACCOUNT OF PROCEEDINGS

Election of the Bureau (Agenda item 2)

12. The meeting elected the following Bureau:

Chairman	:	Mauritius
First Vice Chairman	:	South Africa
Second Vice Chairman	:	Cameroon
First Rapporteur	:	Togo
Second Rapporteur	:	Sudan.

Adoption of the agenda and organization of work (Agenda item 3)

13. The meeting adopted the following agenda:

1. Opening of the meeting
2. Election of the Bureau
3. Adoption of the agenda and organization of work
4. Consideration of the reports on the Implementation of the Yamoussoukro Declaration:

   - Southern Africa coordination presented by the representative of the Minister of Mozambique;
   - Eastern Africa coordination presented by the representative of the Minister of Tanzania;
   - Central Africa coordination presented by the representative of the Minister of Gabon;
   - Western Africa coordination presented by the representative of the Minister of Côte d'Ivoire;
   - North Africa coordination presented by the representative of the Minister of Tunisia;
   - Evaluation of the implementation of the Yamoussoukro Declaration presented by the ECA Secretariat.

5. Proposals to activate the implementation of the Yamoussoukro declaration

6. Any other business

7. Adoption of the report and closure of the meeting.

Consideration of the reports on the implementation of the Yamoussoukro Declaration (Agenda item 4)

14. The representatives of the Ministers of Mozambique, Tanzania, Gabon, Côte d'Ivoire, Tunisia and the ECA secretariat introduced the reports TRANS/EXP/94-04 (a), (b), (c), (d), (e) and TRANS/EXP/94-05 respectively.

15. Assessment of the reports revealed different levels of implementation. Commonalities in the activities undertaken, progress achieved and problems encountered were also identified. The following major activities, inter alia, were undertaken and some progress achieved in their implementation:

(a) The signing by Economic Community for Central African States (ECCAS) Heads of State and Government of a multilateral agreement that provides a legal framework for the management of community airspace and the endorsement by SADC Ministers of Civil Aviation of the proposal to establish a Southern African Regional Air Transport Authority (SARATA);

(b) The commissioning by ECCAS, ECOWAS, Communauté économique des pays des Grands Lacs (CEPGL), Preferential Trade Area (PTA) and Southern African Development Community (SADC) of many feasibility studies on the establishment of multinational airlines or joint management of airlines;

(c) The organization of consultative meetings and the adoption of common positions regarding (i) aircraft noise and (ii) computerized reservation systems such as Amadeus in ECCAS and GETS in SADC;

(d) Formulation of a common civil aviation policy. For this purpose, the Maghreb Ministers called for a comprehensive study to be conducted on the current situation and the future prospects of the air transport industry in the five AMU countries;

(e) Efforts to set up or reestablish subregional airlines in the Mano River Union, CEPGL, PTA and UMA subregions and a group of West African States;

(f) Joint capacity utilization and coordination of airline schedules in the PTA, SADC and ECOWAS subregions;

(g) The strengthening of Air Afrique;

(h) Liberalization of airfreight services in PTA;

(i) Joint purchase of spare parts and tyres, as is practised by Nigeria and Ghana Airways;

(j) The collection and sharing of information among African airlines;

(k) Gradual liberalisation of traffic rights among African States;

(l) Cooperation in joint airline operations;

(m) The ongoing pursuit of restructuring policies.

(n) Establishment of a multinational air transport agreement negotiating structure by States members of Air Afrique;

(o) The signing by ECCAS Heads of State and Government of a multilateral air transport agreement.

16. The problems hampering the implementation of the Yamoussoukro Declaration included, inter-alia,:

(a) Lack of coherent air transport policy at regional, subregional and national levels and non-inclusion of the Yamoussoukro Declaration in national airline policies due to lack of government support;

(b) Continued existence of conservative and highly protectionist environment;

(c) Lack of appropriate legislative framework to empower organizations to monitor the implementation of decisions reached at various meetings;

(d) Highly fragmented air space culminating in non-viable small economic units;

(e) Continued subsidization of airlines by governments;

(f) Unfavourable socio-economic climate inundated with political upheavals resulting in haphazard changes in the macro-policy framework;

(g) Rivalry of airlines;

(h) Problems in the transfer of member airlines revenue surpluses.

(i) Frequent changes of top management.

17. In the discussions that ensued additional information was given on the implementation of the Declaration. This information will be reflected in the respective reports. The meeting reconfirmed the importance of addressing the constraints arising from, inter-alia, lack of a legal framework or political will.

18. It was also recommended that the Declaration be extended to address financial, institutional and technical issues.

19. The meeting also noted that several studies had been undertaken and recommended that the conclusion of these studies be taken into account in the on-going ADB financing diagnostic study on African Air Transport which is expected to generate concrete projects for the sector. Information was also given by the ADB on the study financed through Norwegian bilateral funds on network of Aircraft overhauling and repair centres.

Consideration of proposals to activate the implementation of the Yamoussoukro Declaration (Agenda Item 5)

20. The chairman of the task force set up by ECA to prepare proposals to activate the Yamoussoukro Declaration introduced the document TRANS/EXP/94-06 by highlighting, inter-alia, the following main activities to be undertaken in the implementation of the Declaration:

(a) African Governments should make sure that the Declaration forms the basis for the development of national air transport policies;

(b) African States should agree to facilitate the exchange of traffic rights among themselves;

(c) The role of governments and airlines should be clearly defined in the implementation in order to reduce interference and create an enabling environment for efficient operations and development of subregional cooperation resulting in the integration of the airlines;

(d) There should be instituted an appropriate mechanism for coordinating the implementation of the Yamoussoukro Declaration;

(e) African Governments should take the necessary measures for implementing the various phases of the Declaration;

(f) African Governments should give civil aviation and airport authorities, and airlines the autonomy and independence to manage their operations, planning and financial investment;

(g) African Governments should take all the necessary measures for creating an environment conducive to the expansion of African and international air transport with special reference to unification of African airspace, level of taxation and charges, facilitation, remittance of funds and designation of airlines.

21. The meeting took note of the proposals and made amendments which have been incorporated in the document attached as Annex 1.

Adoption of the report and closing of the meeting (agenda item 6)

22. The Experts adopted the report of their meeting after having made some amendments.

23. The Chairman thanked all participants for their sincere cooperation which had contributed to the success of the meeting. He then declared closed the Meeting of African Experts on the Implementation of the Yamoussoukro Declaration.

SOLUTIONS FOR ACHIEVING THE IMPLEMENTATION OF THE YAMOUSSOUKRO DECLARATION

SOLUTIONS FOR ACHIEVING THE IMPLEMENTATION OF THE YAMOUSSOUKRO DECLARATION

I. INTRODUCTION

1. What can be seen from the analysis of the implementation exercise is that slow progress, 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 intra African exchange of traffic rights and the creation of an environment that promotes the expansion of African air transport activities.

II. SOLUTIONS FOR ACTIVATING THE IMPLEMENTATION EXERCISE

2. Based on the analysis of the problems and bottlenecks identified, the following solutions for activating the implementation of the Declaration have been identified.

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 and inform the ECA accordingly.

4. The incorporation should be provisionally effective immediately after the Mauritius meeting while a legal framework is being prepared in the form of an international agreement to be ratified by Governments.

5. ECA, working in cooperation with subregional, regional and international organizations, could be entrusted with the responsibility for following up this activity.

2.2 Traffic rights

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

(a) Within the African subregions

7. 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) or number of seats offered on the route, should be granted to fifth freedom operations provided however, that 80 per cent of the total traffic on the route or number of seats offered 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 evaluated before applying it on that route.

(b) Relations among subregions

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

(i) First and second freedoms should be freely exchanged without limitation;

(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 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 or number of seats offered, 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.

9. The coordination machinery set up in paragraph 2.4 below to follow the implementation of the Declaration will bear responsibility for the monitoring and implementation of the traffic rights policy adopted.

2.3 Role of governments and airlines

10. 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.

11. 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.

12. Furthermore, African governments should revitalize the airlines by making sure that their operations are managed commercially and encourage the injection of adequate capital.

13. With regard to skilled manpower which is very difficult to find, everything should be done to ensure staff training and retain such staff for example, where necessary by encouraging participation of staff in the capital share within the airlines with a view to creating a stable management environment and ensuring policy continuity.

14. African governments and subregional economic groupings will be responsible for monitoring the activities described above.

2.4 Coordination mechanism

15. It is necessary to set up a regional coordination mechanism with similar machinery operating at the subregional and national levels. As the coordinating agency, ECA should assist the subregional coordinating ministers in instituting and organizing the activities of all these coordinating mechanisms. In this regard, ECA should work in cooperation with OAU, AFCAC, AFRAA 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.

16. 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
- Representatives of Airport Authorities;

17. 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.

(c) National level:

- The Minister responsible for Civil Aviation;
- Director of Civil Aviation;
- Representatives of national and private airlines operating in the countries;
- Representative of airport authority;
- Representatives of Tourism department and chamber of commerce;

18. This Minister in charge of civil aviation will be responsible for organizing the activities of the national mechanism.

2.5 Time-frame for implementation:

19. 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

20. For failing to secure the 25 instruments of ratification required, the Convention establishing the African Air Tariffs Conference adopted in 1980 in Addis Ababa is not yet in force.

21. A new draft Convention is being prepared by AFCAC in cooperation with AFRAA for submission to African States. After its adoption, the new text which will be adopted at the conclusion of the AFCAC deliberations will form part of the solutions designed to achieve the implementation of the Yamoussoukro Declaration.

2.7 Consideration of aspects relating to civil aviation and airport authorities

22. African governments should give civil aviation and airport authorities the required autonomy and independence of management of operations under their responsibility, including financial management and investment planning.

23. It is also noted that, like the airlines, the civil aviation and airport authorities experience difficulties in recruiting and retaining skilled, qualified and experienced manpower. Therefore, everything should be done to retain such staff with a view to promoting stable and effective management and creating a conducive working environment.

2.8 Consideration of aspects relating to airlines management

24. African governments should give African airlines the required autonomy and independence of management of operations including financial management and investment planning.

2.9 Additional measures

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

(a) Rationalization of the use of African airspace

26. African governments shall take collective action for purposes of rationalizing the use of Africa's 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 CNS/ATM systems and any other recognized communications system with a view to introducing cost effective operations and new technologies.

(b) Service Charges

27. When preparing national legislation on service charges, African governments should adhere to the various ICAO policies relating to service charges for international air transport.

(c) Facilitation

28. 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 negated by the bureaucracy and loss of time resulting from formalities and other procedures. 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 Standards and Recommended Practices contained in Annex 9 of the Chicago Convention and inform ICAO of any difference between Annex 9 and their national laws.

(d) Transfer of Revenue Surpluses

29. African States should facilitate the transfer of the revenue surpluses generated by airlines.

(e) Designation of airlines

30. 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.

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

(f) Establishment of multinational mechanism

32. The African subregional economic organizations together with ECA, OAU, AFRAA and AFCAC should collaborate to facilitate the establishment of multinational airlines and multinational negotiating authorities corresponding to the African regional and subregional groupings. AFCAC, ECA and AFRAA should take the necessary steps to draft a modal agreement to assist concerned African States in the creation of multinational airlines.

(g) Legal framework

33. ECA in consultation with OAU, AFRAA, AFCAC and the coordinating mechanisms should develop the necessary legal framework to be used for ensuring the effective implementation of the Mauritius decisions in order to achieve the implementation of the Yamoussoukro Declaration.

SUMMARY TABLE OF ACTIVITIES AND PROGRAMMING

Activities	Responsibility	Monitoring agency	Programming
Reflection of the spirit of the Yamoussoukro Declaration in national air transport policies and preparation of the legal instruments	African governments which should inform ECA and the subregional organizations of activities undertaken	ECA,ECOWAS, ECCAS, SATCC, PTA and AMU	(a) Immediate implementation January 1995 to December 1995 (b) Preparation and adoption of legal framework January 1996 - December 1997
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 and national coordinating machinery	ECA in cooperation with OAU, AFCAC, AFRAA, African subregional economic organizations and Governments	ECA, OAU, AFCAC, AFRAA, African subregional economic organizations and Governments	January 1995 to December 1995
Setting up and functioning of regional subregional and national 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 AFRATC	African governments	AFCAC, AFRAA	
Accompanying measures	African governments	ECA, OAU, AFCAC, AFRAA and the subregional economic organizations	January 1995 to December 1999

NOTE: **In the implementation of the activities related to the Yamoussoukro Declaration, ECA will collaborate with regional, subregional and International organizations interested in the development of air transport in Africa.**

SPEECHES

STATEMENT BY SIR H.K.TIRVENGADUM

CHAIRMAN AND MANAGING DIRECTOR OF AIR MAURITIUS

AT

THE OPENING OF THE EXPERT MEETING ON

THE IMPLEMENTATION OF THE YAMOUSSOUKRO DECLARATION

Mauritius, 7 September 1994

Mr. Bongoy, Representative of ECA
Mr. Savane, President of the AFCAC
Capt. Ahmed, Secretary general of AFRAA
Honourable Delegates
Distinguished Guests
Ladies and Gentlemen

We are meeting today to take stock of the progress achieved in the implementation of the Yamoussoukro Declaration, and to agree on the course of action to be taken as from now onwards to complete the implementation process.

When we met in Yamoussoukro in October 1988, there was great concern about the situation of the African air transport industry and about its ability to face the future, especially in the face of the rapidly changing environment of the civil aviation world. New challenges were emerging, caused by deregulation, liberalisation, CRS technology, etc.

This was happening against a background where most African carriers were making losses and where many of them were operating old, obsolete aircraft, among which many no longer respond to noise regulations. African Airlines, in general had a very poor market share and their total carriage represented only a meagre 3 per cent of global air traffic. Most carriers were in dire financial situations and were not able to re-quip themselves with modern, efficient aircraft and other essential assets.

In Yamoussoukro, we decided to take measures in common in order to work the African air transport industry out of this situation. The Declaration recognised that air transport is an important tool for the promotion of social and economic development of Africa and therefore, had to be promoted and protected from the negative effects emanating from the changing international air transport environment.

The Declaration proposed a new African air transport policy in terms of intra-Africa traffic rights and prescribed a series of measures to be taken in order to improve the situation of African airlines. Action had to be taken in three phases and was to be completed within a period of eight years.

Let us now see what has been done. From the reports received from the various subregions, we note that not much progress has been achieved. Many ideas have been exchanged, studies made, discussions and conferences held, but little effective action taken, whether at the level of the continent of Africa as a whole or at the subregional level.

Certainly, there has been some success in the easier fields of cooperation such as joint purchase of spares, harmonisation of schedules and some joint-services. But little progress had been made in the exchange of traffic rights intra-Africa and in the creation

of trans-national airlines. Much work has been done in some ventures to create cross-border airlines, but to my knowledge non has been successful so far. The African air transport industry is still in bad shape. Therefore, we must ask ourselves a few questions as to why the implementation of the Declaration is proving so difficult.

There have been many answers provided in the various papers produced and it is not my intention to repeat the contents of those papers. However, I would just like to quote from the ECA paper entitled, "Evaluation of the Implementation of the Yamoussoukro Declaration " (page 11 - para 61) which reads as follows:

The adoption of the Yamoussoukro Declaration is an important turning point in African air transport development because it aims at setting up a viable African air transport system. Unfortunately, the success of the Declaration has been felt less in the improvement of African airlines than in politics and public relations.

From this, it is clear that the objective of the Declaration, i.e. the setting up of a strong African air transport system, is indeed a very laudable one and has to be pursued. But has that policy document aimed to achieve too much in too short a time span. Was it realistic to spell out a new policy for our large continent, with its different speed economic and social development, to elaborate to achieve the complete integration of African airlines within eight years.

Indeed I believe that the Declaration may have been too prescriptive, too detailed and contains some unrealistic action plans and time frame. Certainly there are very positive aspects in the Declaration and the intention is definitely right. But trying to produce a common set of solutions to solve a diversity of problems is in my view one of the main reasons whey there has been little effective implementation and interest from airlines in spite of the numerous discussions held, papers written and good intentions expressed by various parties.

A look at the fundamental problems brings up two main issues:

- A strong viable air transport industry in Africa
- A common African air transport policy.

I shall first briefly speak on the question of a common African air transport policy. The Declaration does address to a certain extent an intra-African air transport policy, but scarcely deals with the more important aspect of policy which is the common front and position of Africa vis-a-vis the rest of the world, especially the blocks in Europe, America and Asia. The issue has been the subject matter of the last two days of discussions and

because it is of such crucial importance, I feel it should be more adequately treated in any eventual review of the Declaration.

Let me now turn to the issue of creating a strong viable air transport industry for Africa. A strong african air transport industry can only be achieved by ensuring that the operations of the airlines of Africa became viable and profitable. Hers the Yamoussoukro Declaration advocated cooperation among African Airlines with a view to achieving complete integration of airlines by the time Phase III is completed, i.e. within eight years, in other worlds by October 1996. This complete integration of airlines is prescribed through either a consortium or joint ownership or mergers.

It is clear that existing airlines have tended to resist this form of cooperation leading to total integration because it may not necessarily be in their interest. It is not also proven that larger multi-national entities will be more successful than the smaller national airlines. There is no necessary correlation between size and success.

Cooperation cannot be achieved unless it is mutually beneficial to all parties involved. As airlines are effectively commercial entities, irrespective of their organisational and ownership structure, they need to be convinced of the economic benefits to be derived from such cooperation before willing to subscribe. Some form of cooperation can and has been achieved. I have already mentioned joint purchase of parts and joint venture flights. Other forms of cooperation proposed by the Yamoussoukro Declaration such as joint aircraft purchasing in phase II and mergers and joint ownership in phase III are much more difficult to achieve because of the divergent interests and varying situations of the various airlines.

I do not think only airline will agree to cooperate for the sake of cooperation per se, however strongly Governments would like this to be done for political reasons. Therefore, I believe that further reflection will have to be made on some of the contents of the Yamoussoukro Declaration and a more pragmatic approach adopted.

We must clearly dissociate the objective from the means. The objective is to et the african Airlines and the African air transport industry on a sound footing. Cooperation among airlines is one of the possible means to attain this objective and cannot be regarded as the objective itself. The idea of having trans-national airlines at subregional level of even a pan-African airline may be very attractive from a political stand point but may not be feasible unless the various parties involved in air transport find their interest in such entities. This is why the idea of jointly owned airlines and mergers may have to be seriously reviewed and retained as one of the possible solutions, but not the single solution of one and all.

I am not disavowing the Yamoussoukro Declaration as it stands. I was a party to it. In fact I firmly believe that we must all work in the spirit of Yamoussoukro Declaration which is a spirit of solidarity. What I am saying is that after six years of the existence of the Declaration we find that little has been achieved. It is probably because the prescriptions of the Declaration do not really fit the needs of the African air transport industry and the wish to the African airlines.

Therefore, I suggest that we have another thorough look at the Declaration and the proactive in developing solutions that can be practically achieved, with benefits to the industry, even if it is not specifically mentioned in the Declaration as it stands today.

We now have the benefit of hindsight and a good knowledge of what developments have taken place globally in the airline industry during the last six years. With this hindsight, let us work in a practical way towards achieving the primary objective of the Declaration.

To set the ball rolling, I would like to suggest a few practical ideas which could be considered to create a new framework of action of African airlines and update the Yamoussoukro Declaration.

First

Each country has a stock of unused traffic rights whether intra-Africa or with other non-African countries. Many of these rights are being exploited by third country carriers without any benefit to the African carrier. Each airline has to attempt as far as possible to activate dormant traffic rights wherever traffic exists or potential for traffic development exists in this exercise, we must be prepared to face competition from third country carriers. Airlines may here seek to cooperate by adding their complementary traffic on joint services in case traffic between given city-pairs is insufficient to justify direct flights. Airlines may also cooperate by arranging with another African carrier to operate, in their name and under their rights, services which they are themselves unable to operate due to lack of equipment or any other reason. It is understood that this can only be done on terms beneficial to both parties.

Second

The question of aircraft acquisition has to be looked at with a fresh eye. In 1988, aircraft were costly and scarce. Today, there is a glut of aircraft of all types around the world and good second hand aircraft satisfying all aeronautical regulations are available of relatively attractive rates.

Third

Financing is still a major problem, especially in view of the lower credit-rating of many airlines in Africa. One solution is to resort to operating-leases which require much lower up-front cash disbursement and which today offer very competitive rentals. Since the initial deposit required under these leases are much lower, it may be possible to finance this from African sources. I would invite the ADB to have a closer look at this sort of project to enable some of our airlines to take-off quickly to expand further. Operating leases also provide flexibility and open the doors to further re-equipment when the time is ripe.

Fourth

Some African airlines also have aircraft surplus to their own requirements and may offer these to other African airlines under attractive conditions or under joint venture arrangements. The AJAS project should be pursued vigorously until successfully set up.

Fifth

Management has to be professional and competent. I am convinced that excellent Management skills exist in Africa. The biggest problems faced by airlines have been too much political interference and constant change of top Management by the political masters. This has been stated many times but now requires positive action. Airlines have to be regarded as commercial entities and not exclusively as an extended arm of the Government. The African Governments have to recognise this fact and leave Management teams in place long enough for them to get a programme of restructuring through to completion. This coupled with a planned, relevant and adequate training programme (which is already mentioned in the Yamoussoukro Declaration) should definitely enhance the quality of airlines in Africa. I feel that a gradual divestment of the State from the airlines and an opening up of the airline's share holding to African private capital will help in promoting better qualify Management.

Sixth

As commercial entities, airlines have to be profitable. To achieve this, planning and control is crucial. There is no point in trying to start a large scale operation if one cannot control it. I advocate modest operations with a planned growth pattern and realistic time frames, the whole driven by clear objectives and targets.

Seventh

Planned profitability will auto-generate finance to pay for expansion in due course if profits are ploughed back into business first before considering distribution i nthe form of dividends.

And finally

Profitability can only result from revenue enhancements and cost control. To achieve these, our airlines should endeavour to improve their marketing and product quality and increase their assets and labour productivity and utilisation.

Airlines may decide to do all these alone or in cooperation with others. However, in my experience, it is easier to start something on one's own and then attempt to associate other partners to the project. Inter-airline cooperation will come naturally if it enhances the position of each party.

What I just expressed are but a few ides that this august assembly may wish to discuss further. I am certain that you have other forceful and practical proposals to make in order to agree on a working plan with the prime and crucial objective of strengthening our air transport industry and attain nthe original objectives of the Yamoussoukro Declaration. To achieve success I believe we must be simple, practical, realistic and professional.

Thank you Ladies and Gentlemen.

STATEMENT BY MR. M. BONGOY,

CHIEF OF ECA'S

TRANSPORT, COMMUNICATIONS AND TOURISM DIVISION

AT

THE OPENING OF THE EXPERT MEETING ON

THE IMPLEMENTATION OF THE YAMOUSSOUKRO DECLARATION

Mauritius, 7 September 1994

Distinguished Representative of the Government of Mauritius,
Distinguished Representative of the OAU,
Distinguished Representatives of African and international organizations,
Distinguished Representatives of African Civil Aviation Authorities,
Distinguished General-Directors of African Airlines,
Ladies and Gentlemen.

I find real pleasure in welcoming you to this magnificent village of Grand Bay, whose history makes it a tourist attraction of Mauritius. We could not have held this meeting today without the prior consent of the Mauritian authorities. On behalf of my colleagues from ECA and on your behalf, I would like to express our gratitude and appreciation to His Excellency the President Mr. Cassam Uteem, the Government and People of Mauritius for having accepted to host this meeting and for the warm welcome which has been accorded us since we arrived here.

I would also like, on behalf of ECA, to thank all participants here for having massively responded to our invitation. Your presence bears testimony to the importance you attach to air transport problems and your commitment to finding appropriate ways of developing African air services. That in itself should guarantee the success of our present meeting. I would also like to thank most sincerely Mr. Taukoordass and his team who, together with Sir Harry Tivengurdum, Managing Director of Air Mauritius, have demonstrated the unflinching support which made it possible to hold this meeting in Mauritius.

Ladies and Gentlemen,

Here we are gathered six years after the adoption, in November 1988, of the Yamoussoukro Declaration, to take stock of its implementation. Our job is to consider the progress achieved, identify the problems which have impeded the implementation exercise and to propose to our governments ways of activating cooperation among our airlines and their eventual integration. We therefore have to find ways of meeting the challenge and facilitating the creation of an environment conducive to the expansion of African and international air transport activities.

Mr. Chairman,

Ladies and Gentlemen,

Before reviewing the implementation of the Declaration, I would like to share some background information with you.

You will recall that in 1978 when the United Nations Transport and Communications Decade in Africa (UNTACDA I) was launched, ECA, OAU, AFCAC and AFRAA considered the issue of developing African and international air services. In that regard, resolutions have been adopted by the Heads of State and Government, ministers of transport and African airlines. Under the UNTACDA I work programme, ECA organized, in 1984, the Mbabane Conference on Freedoms of the Air for the purpose of considering and resolving the problems of exchanging traffic rights in Africa. That Conference adopted the Mbabane Declaration and set up a technical committee made up of five civil aviation authorities, five airlines, ECA, OAU, AFCAC and AFRAA. The committee was mandated, among other things, to prepare a common African approach to the exchange of traffic rights, to promote the adoption and pursuit of a common approach during traffic rights negotiations and in the procurement of aircraft and air transport equipment. Its work was also to promote the establishment of multinational airlines or the joint operation of airlines at the subregional level.

On the basis of the report describing the international air transport environment drafted by that technical committee, the Conference of African Ministers of Transport, Communications and Planning held in 1988, requested ECA to convene the first Special Conference of African Ministers Responsible for Civil Aviation.

In case you are wondering why this first Special Meeting was convened please remember that the 1980s were marked by sharp controversy over the advantages and disadvantages of American deregulation and of European liberalization on Africa's air transport industry. European and American airlines happened to have their computerized booking systems and were beginning to invade markets. At the international level, attempts were being made to introduce standards banning the use of aircraft which failed to meet the new provisions in Annex 16 of the Chicago Convention. More things were happening but to cut a long story short, the African air transport industry was having serious problems which had to be considered most urgently.

To forestall the adverse impact of these new policies, African Ministers Responsible for Civil Aviation met at Yamoussoukro with a view to seeking ways of safeguarding African air transport. At the conclusion of their work, they adopted the Yamoussoukro Declaration wherein they committed themselves individually and collectively to working for

the creation of the climate of cooperation and solidarity needed to safeguard and expand international and intra-African air transport activities. For that purpose, they adopted the following guidelines:

(a) Cooperation among and integration of airlines by strengthening existing community structures and creating new ones over a period of eight years;

(b) Flexibility in the granting of traffic rights, particularly those of the fifth freedom;

(c) Reduction in running costs and tariffs including ratification of the African air tariffs convention (AFRATC);

(d) Management improvement by doing everything possible to retain in the airlines those skilled staff that are very hard to find and intensify efforts to give priority to the use of air service installations and training facilities in Africa;

(e) Financing of air transport activities. An appeal was launched to African funding institutions, particularly ADB, to accord priority to the proposed establishment of an African aircraft leasing and financing company; and finally;

(f) The adoption of common positions regarding product marketing and aircraft noise.

To ensure that the Declaration would be implemented, the Ministers set up a follow-up committee composed of ECA, OAU, AFRA, AFCAC and subregional coordinating ministers.

Since we are now in the sixth year following the adoption of the Declaration, it is quite normal for us to take stock of the progress achieved in the implementation of the Declaration, identify the problems encountered and propose measures to revitalize the implementation exercise.

Mr. Chairman,

As I said earlier, our search for answers to the aforementioned concerns is the basic reason for this meeting. Since you have the documents on the evaluation prepared by the ECA and coordination ministers, I shall confine my statement to giving you a general overview.

Six years after the adoption of the Declaration, the air transport environment is still characterized by the same external and domestic constraints. In Africa, little has been done by way of coordinating air transport policies and pooling air transport activities. Protectionism continues to prevail in the matter of traffic rights. The number of ailing airlines continues to increase. The financing of air transport activities has not improved and air services have not significantly developed.

Fortunately, over the past six years, many activities have been undertaken and some progress has been made. In that regard, mention could be made:

(a) The signing by ECCAS Heads of State and Government of a multilateral agreement that provides a legal framework for the management of community airspace;

(b) The commissioning by ECCAS, ECOWAS, CEPGL, PTA and SATCC of many feasibility studies on the establishment of multinational airline or joint management of airlines;

(c) The organization of consultative meetings and the adoption of common positions regarding aircraft noise and computerized booking systems;

(d) Attempts to set up subregional airlines particularly in the CEPGL, PTA and AMU subregions;

(e) The consolidation of Air Afrique;

(f) The fact that some companies have been jointly purchasing spare parts and tyres;

(g) The collection and sharing of information among African airlines;

(h) Cooperation in the running of airlines, particularly in Southern Africa;

(i) The ongoing pursuit of restructuring policies.

Mr. Chairman,

We certainly consider the aforementioned as achievements because the Declaration is being implemented under straitened socio-economic and political circumstances. Looking, however, at the set phases and their duration, we must admit that we are very far behind our set time schedule for many reasons, including:

(a) The liberal nature of the Declaration;

(b) The lack of a mandatory framework;

(c) The political and economic environment of the 1980s;

(d) The high turnover of air transport officials;

(e) The rivalry among African airlines; and

(f) The weakness of the follow-up mechanism.

What must be done to activate the implementation of the Declaration is precisely what we would like to know from this august assembly. We hope that the working documents provided will facilitate your search for an answer to this question. On behalf of the Commission, I would like to express my sincere appreciation to all members of the working group which prepared one of the key documents before you, particularly its Chairman, the Director-General of Civil Aviation of Tunisia and his colleagues for the quality of the work done.

Mr. Chairman,

Ladies and Gentlemen,

Our stumbling, dissipation of efforts, rivalries and fear must give way to the taking of concrete and practical measures for implementing the Yamoussoukro Declaration unanimously adopted by your Ministers in 1988. We should not continue criticizing the policies of others. Instead, we should be constructive and form a clear vision of the future. We must combine our efforts, reduce our differences and defend our common positions.

The objectives set in the Yamoussoukro Declaration remain topical and relevant. What we need to do today is reaffirm our vision for the future of air transport in Africa and to do our utmost to translate that vision into reality. By pooling infrastructural facilities, coordinating a harmonizing our air transport policies, working towards cooperation and integration and, in short, implementing the Yamoussoukro Declaration we would be ensuring our survival and the opportunity to have a say in what happens to the future of African Civil Aviation.

Mr. Chairman,

Ladies and Gentlemen,

It only remains for me to wish you every success in your meeting and to thank you for your kind attention.

STATEMENT BY CAPT. MOHAMMED AHMED

AFRAA SECRETARY GENERAL

AT

THE OPENING OF THE EXPERT MEETING ON

THE IMPLEMENTATION OF THE YAMOUSSOUKRO DECLARATION

Mauritius, 7 September 1994

Mr. Chairman
Distinguished Delegates
Ladies and Gentlemen

My address to you today is the second time this week. I am therefore greatly honoured for this double privilege and opportunity.

The time your meeting will be discussing and considering recommendations on the review of the Yamoussoukro Declaration, a subject of considerable importance to African airlines.

Mr. Chairman, Sir Harry and Professor Bongoy have eloquently expressed very pertinent views on this subject. However, in order to give the subject matter its proper balance and to emphasize its importance I will take the risk of repeating what has already been said by them. Permit me therefore, in this respect to share with you some of my views on this matter and humbly request that you take them into consideration in your deliberations in the next two days.

Mr. Chairman, the Yamoussoukro Declaration on a new African air transport policy is very familiar subject to you all. It is a document that promised hope to African airlines. It was indeed a historical document as for the first time Africa came out with an original blue print on the type of form and structure that the African airline industry should evolve into in order to survive the ravages of competition and inherent disadvantages peculiar to African airlines. To a large extent this hope has not been realised because the provisions and measures outlined in the Declaration remain largely unimplemented. The reasons for this are many and varied. As a result the current air transport environment continues to be characterised by the same internal and external constraints which were identified by the Yamoussoukro Declaration.

It is in light of this that the 9th Conference of Ministers of Transport, Communication and Planning decided to organize a second conference of African Ministers responsible for civil aviation for the purpose of evaluating the progress of implementation of the Yamoussoukro Declaration and to propose additional measures to accelerate this process.

To undertake this task, it was necessary to consider factors behind the poor implementation and to recommend appropriate measures to speed it up. This included an analysis of the Declaration itself and the extent to which it has been implemented.

As you are aware the task of reviewing the Declaration was undertaken by the same Task Force that considered the African Stand at the forthcoming ICAO Conference

on air transport regulation. Their major findings were that while some aspects of the Declaration such as Phase I and partially Phase II have been implemented, Phase III or the integration stage for African airlines has not taken place as envisaged by the Declaration. In the field of Traffic Rights, the position remains as protective and inflexible as it was before the Declaration. Other aspects of the Declaration such as tariffs and costs and improvement of management have suffered the same fate. In short the review of the implementation process has revealed that the Declaration has not had the same level of success on the improvement of African airlines as it has had as a political and a public relations exercise.

To arrive at appropriate recommendations it was necessary to determine factors that were responsible for this haphazard and half hearted implementation of the Declaration.

On of the findings is that the principal parties, namely Governments and airlines are largely responsible for this poor implementation record. bailing out of airlines by Governments whenever these airlines were in financial problems guaranteed the survival of the airlines thereby providing no incentive for the airlines to cooperate. Intense rivalry between African Governments was another factor identified as preventing achievements of practical cooperation goals.

African airlines also share the blame for none cooperation. Reasons for this include, their "go-it-alone" attitude whereby each airline believes it is better on its own than being encumbered by cooperative ventures. Furthermore, African airlines with apparently better or superior markets are unwilling to cooperate to fully exploit the market potential which would result from cooperative arrangements. As in the case of Governments, intense rivalry between African airlines is also preventing achievement of practical cooperation goals as well as the tendency among African airlines to opt for more attractive offers by non African airlines.

In addition to the above, the Declaration itself is defective as it does not provide for an effective implementation mechanism with powers to enforce implementation of the Declaration's provisions. Furthermore the Declaration does not spell out a clear and distinctive policy guidelines o nthe exchange of traffic rights. You will appreciate, Mr. Chairman, that the exchange of traffic rights is not only the legal basis for any air transport operations between two sovereign States. The commercial and economic viability of airlines depends on the exercise of these rights.

It is against this background that certain measures have been recommended to revive the implementation process of the Declaration. These recommendations are also being made after taking into consideration major worldwide aeropolitical developments

such as the unstoppable and irreversible trend towards liberalisation. We need to prepare for this eventuality so that it is controllable and manageable when it comes.

Arising from the above, the following recommendations are being made to reactivate the implementation process of the Declaration. African airlines, through AFRAA fully endorse these recommendations.

(a) Adoption of a Policy on Traffic Rights

The Declaration in its present form does not spell out a clear and distinctive policy guideline on the exchange of traffic rights between and among African States. It envisages that the integration of African airlines once achieved would obviate the need for the exchange of these rights.

In view of this there is need for a coherent and specific policy on the exchange of Traffic Rights between and among African States. The basic policy objective would be the strengthening of African airlines and the promotion of the African air transport industry through gradual relaxation the exchange of traffic rights in Africa.

(b) Creation of an Enabling Environment

The establishment of a straight jacket for the implementation of the Declaration may have been inconsistent with the realities of the commercial world. First the idea of tying down commercial enterprises to specific time frame is an unrealistic approach. While specific items may be timed to be accomplished with a specific time frame, aviation development or any development for that matter cannot be subjected to strict time bands. It is only by providing the necessary conducive environment that such development may occur.

Furthermore, it is unrealistic to expect people to cooperate within specified periods of time and equally unrealistic to expect to achieve integration by way of legislation. What is needed is the creation of an enabling environment to achieve the objectives of the Declaration.

Actions needed to create this enabling environment include:

- revitalising the airlines by adequate capitalization thus eliminating the need for subsidies;

- Commercialising the airlines whereby managements will have freedom to manage the airline as a purely business concern, determine fares, routes and schedules and follow-up commercial practices;

- Providing the airlines with subsidies on pre-determined, contractual basis should Governments require airlines to provide certain services under conditions that are documented to be loss making.

(c) Implementation mechanism

Experience has shown that the implementation mechanism put in place by the Declaration has not achieved its target. This was due essentially to the absence of the necessary enforcement mechanism. There is need therefore for the establishment of a proper implementation mechanism by giving full consideration to the recognition of the Declaration at the national level as an instrument of national policy and by giving power to subregional organisations for the supervision of the implementation of the intent of the Declaration.

In order to achieve the foregoing African Government and airline have distinct responsibilities:

(a) African Governments have a key role in the implementation of the Declaration for not only do they own most African airlines, they also determine to a great extent the operating environment of these airlines.

Steps are therefore needed by African Governments to create an environment conducive to ensuring implementation of the Declaration. These steps should include:

(i) Clear and unequivocal commitment to the Declaration by taking at the national level, required legislative or other regulatory measures to adhere to the Yamoussoukro Declaration and ensuring that airlines and all appropriate organs under their authority adhere to the intent of the Declaration.

(ii) enactment of enabling legislation both at national and subregional levels.

(iii) encouraging airlines registered within their territories to engage in cooperative ventures with other likeminded African airlines.

(iv) ensure relationships for the greater long term benefits rather than short term interest.

(v) provide the necessary political and other support required to facilitate implementation.

(b) On their part, African airlines must recognize that the basic intention of the Declaration is the development and improvement of African airlines. They therefore stand to benefit from successful implementation of the Declaration. An important role that the airlines must play to contribute towards successful implementation of the Declaration is by overcoming the apparent reluctance to cooperate with other African airlines. They must enter into cooperative ventures between and among each other even if this will mean foregoing short term rewards in favour of long term benefits which will result from overall development of African airlines.

African airlines must start to do things together for the sake of their survival.

Mr. Chairman, in concluding my remarks, may I strongly urge you to take into consideration these recommendations so that they may be incorporated in your final submission to the meeting of Ministers. It is in this spirit of appeal that I venture to speculate in the name of hope that the decisions that will emerge from the meeting of Ministers on 9th September, 1994 will herald a new African Air Transport Policy that will specify actions and measures needed to respond to the needs of African airlines as well as to the on-going developments. The traditional negative response characterised by moaning and lamenting about developments taking place should be a thing of the past. The basis of such historical watershed will have been laid by your meeting.

I thank you!

LIST OF PARTICIPANTS/LISTE DES PARTICIPANTS

ANGOLA/ANGOLA

Rosa B.T. Sobrinho - Legal Adviser, DCA, P.O.Box 569, FAX NO (244-2)390529 Luanda, Angola

M. Helder Preza - Director Civil Aviation, A.Antonio Barroso 54-9, Fax No. (244-2) 390529, Luanda Angola

Mr. Victor Ferreira - Director General, P.O.Box 841, Fax No. ....., Luanda, Angola

Mr. Abela Lopes - General Manager, P.O.Box 79, Fax No. 390739, Luanda, RuaDA MISSAO No. 123

BENIN/BENIN

M. Aristide de Souza, Directeur Aviation Civile, BP 305, FAX NO.(229) 310617 Cotonou, Benin

BOTSWANA

Mr. A.V.Lionjanga - Permanent Secretary, Ministry of Works, Transport and Communications, Private Bag 007, Fax No. (267) 313303, Gaborone, Botswana

Mr. J.B.Galefordwe - Acting General Manager, Air Botswana, P.O.Box 92, Gaborone, Botswana Fax (267) 375408

BURKINA FASO

Monsieur Norbert Compaore, Director de l'Aviation Civile, 01 BP 1158, Fax No. 226-314544. Ouagadougou, Burkina Faso

Mr. Ganemtore Paul-Antoine, Directeur Generaal Air Burkina, 01 BP 1459, Ouagadougou, Fax 226-313165

BURUNDI/BURUNDI

Mr. Leonidas Ntawuyamara, Directeur-Adjoint, Regie des services aeronautiques, BP 694, Fax no. 257 223423, Bujumbura, Burundi

Mr. Pierre Claver Nduwimana, Chef du Service Transport Aerien, Regie des Services Aeronautiques (Ministere Transports, Postes et Telecommunications), Fax No.....

CAMEROON/CAMEROUN

Mr. Issa Tchiroma Bakary, Ministre des Transports, BP 1042, Fax No.22.57.32, Yaounde, Cameroun

M. Kono Justin, Directeur Aviation Civile, BP 13374, Yaounde, Cameroun

M. Mbatonga Valentin, Representant Permanent a l'OACI, 1000 Sherbrooke W. Montreal, Canada, Fax No.(514) 288 4772.

M. Tekou Thomas, Chef Service Relations Internationales, Directeur Aviation Civile Yaounde, Cameroun

CAPE VERDE/CAP VERT

Miss Benilde Correia E. Silva, Director General of Civil Aviation, P.O.Box 74, Fax no.611075, Praia, Cape Verde

Celso Estrela, Assessor to Minister, P.O.Box 74, Fax no.(238) 611120, Praia, Cape Verde

CENTRAL AFRICAN REPUBLIC/REPUBLIQUE CENTRAFRICAINE

M. Josephat Tagotto, Directeur General Aviation Civile, BP 941, Fax No. (236) 61 43 49 Telex: MITRACI 61 5335, Tel. L.D. (236) 61 06 36. Bangui, Republic Centrafricaine

COMOROS/COMORES

M. Bourhane Zaidou, Dir. General des Transports, Ministere des Transports, P.O.Box 97, Fax No....., Comoros

CONGO/CONGO

S.E.M. M.Niaty-Mouamba, Ministre des Transports de l'Aviation Civile, BP 2148, Fax No. 242 830916, Brazzaville, Congo

M. A. Mboungou, Conseiller du Ministre des Transport, BP 2148, Fax No. ....., Brazzaville, Congo

M. Jean-Pierre Makosso, Directeur general Aviation Civile, ANAC, MTAC, BP 13507, Fax No. (842) 810400, Brazzaville, Congo

M. Nzikou Jean - Direceur General LINA - Congo, Fax No. (242) 834195

COTE D'IVOIRE/ COTE D'IVOIRE

M. Coffi Jean-Baptiste, Directeur de Cabinet du Ministre de l'Equipement, Des Transports et des Télécommunications, BP V 6, Fax No. (225) 277185, Abidjan, Cote d'Ivoire

M. Ezaley Georges Philoppe, Directeur de l'Agence Nationale de l'Aviation Civile et de la Meteorologie (ANAM), 15 BP 990, Fax No. ....., Abidjan, Cote d'Ivoire

Mr. Abonouan Kouassi, Chef du service des Relations Internationales Aviation Civile, Ministère de L'equipement, des transports et du tourisme 15 BP 990, Abidjan, Côte d'Ivoire, Tel. No. 279004, Fax 277185

EGYPT/EGYPTE

Dr. Khairy El Hussainy, Vice Chairman Civil Aviation for Airports, Egyptian Civil Aviation Authority, P.O.Box ....., Fax No....., Cairo, Egypt

Eng. Abdel Rahman Ahmed Boseila, Adviser of the Minister, Ministry of Transport, Civil Aviation Sector, Cairo Airport, Cairo, Egypt

Mr. Mohamed Nadeem Riad, Under Secretary of State for Air Transport, Civil Aviation Authority, 31-26 July Str., Cairo, Egypt

Mr. Tarek Youssef, Charge d'Affaires de l'Ambassade d'Egypt a Maurice, P.O.Box 8, Mauritius

ERITREA/ERITRIE

Mr. Berhane Beyene, Director, Research and Planning, Civil Aviation Authority, P.O.Box 252, Fax No. 291 - 1 - 181255, Asmara, Eritrea

Mr. Estifanos Afeworki, Director General, Civil Aviation Authority, P.O.Box 252, Fax No. 291-1-181255, Asmara, Eritrea

Mr. Abraha Ghermazion, General Manager, P.O.Box 222, Fax No. 124775, Asmara, Eritrea

ETHIOPIA/ETHIOPIE

Mr. Meshesha Belayneh, General Manager, Civil Aviation Authority, Ministry of Transport and Communications, P.O.Box 978, Telex 21162, Fax no. 6125333, Addis Ababa, Ethiopia

Mr. Daniel Hailu, ..., Ethiopian Airlines, P.O.Box 1755, Fax No....., Addis Ababa, Ethiopia

Mr. Aberra Sida, Executive Officer, Corporate Planning and Development, P.O.Box 1755, Fax No. ....., Addis Ababa, Ethiopia

EQUATORIAL GUINEA/GUINEE EQUATORIALE

M. Antonio Fernando Nue Ngu, Minister of Transport, Information and Communications and two experts

GABON/GABON

M. Martin Fidèle Magnaga, Minister de Transports du Tourisme et des Parcs Nationaux, BP 2087, Fax No. ....., Libreville, Gabon

M. F. Mburu-Yi-Djako, Secrétaire Général du Ministère des transports, BP 2087, Fax No. ....., Libreville, Gabon

Mr. Jean Pierre Obiawg Zue Beyeme, Conseiller du Ministre des Transport, du Tourisme et des Parcs Nationaux, BP 2087 Tel No. 747196/747197, B.P. 2212, Fax No. ....., Libreville, Gabon

Mme. Solange Bemengue, Directeur des Transports Aériens, BP 4681, Fax No. ....., Libreville, Gabon

M. Michel Mayombo, Charge d'Etudes, BP 2087, Fax No....., Libreville, Gabon

GHANA/GHANA

Mr. Kofi Amankwaa Peasah, Deputy Minister, Ministry of Transport and Communications, P.O.Box M38, Fax No....., Accra, Ghana

Mr. Andy Mensah, Director General, Ghana Civil Aviation Authority, P.O.Box ....., Fax No....., Accra, Ghana

Mme. Sophia Akuffo, Chairman - Ghana Civil Aviation Authority, Ghana Civil Aviation Authority, P.O.Box 4889, Fax No....., Accra, Ghana

Mr. Kwabena Adu-Gyamfi, Ghana Airways Corporation, 11 Walker Avenue, Box 1636, Fax no....., Accra, Ghana

Mr. Justin Tete Donkor, Solicitor Secretary, Ghana Civil Aviation Authority, P.O.Box 87, Fax No..... Kotoka Airport, Accra, Ghana

GUINEA/GUINEE

M. Mansa Kolon Keita, ... P.O.Box..... Fax No. .....

M. Ousmane Cisse, Directeur Commercial, BP 12, Fax No.(224) 412907, Conakry, Republique de Guinee

M. Pierre Villet, DG SOGEAC, P.O.Box 3126, Fax no. 411914, Conakry, Republique de Guinee

Mme. Helene Sow, Chargee d'Etudes, Aviation Civile, Conakry, Republique de Guinee, P.O.Box 95, Fax No. 411914.

Mr. Bambo Fofana, DNAC, Ministere des Transport, Conakry, Guinee, P.O.Box 95, Fax No. 411914.

KENYA/KENYA

Mr. James Paul Ayuga, Director of Civil Aviation, P.O.Box 30163, FAX No. ....., Nairobi, Kenya

Mr. William Yagomba, Senior Air Transport Officer, P.O.Box 52692, Fax No. ....., Nairobi, Kenya

MADACASCAR/MADAGASCAR

M. E. Ravelojaona, Directeur General de l'Aviation Civile, BP 921, Fax No. 261 - 2 304 44, 101 Antananarivo, Madagascar

M. D. Harisonlala, Chef du Service Exploitation, BP 921, Fax No. 261 2 304 44, 101 Antananarivo, Madagascar

MALAWI/MALAWI

Mr. S.H.Padambo, Chief Civil Aviation Officer, P/Bag 322 Lilongwe 3, Fax No. 784986, Malawi

Mr. Moffat Justin Chitimbe, Chief Transport Planning Officer, P/Bag 322, Fax No. 784724, Lilongwe 3, Malawi

Mrs. K.M.Yatina, Principal Air Transport Officer, Department of Civil Aviation, P/Bag 322, Lilongwe 3, Fax No. 784986, Malawi

MALI/MALI

S.E.M. Bakary K.Traore, Ministre de Equipement et des Transports, Porte parole du Gouvernement, Ministere Equipement et Transports, BP 227, Fax No. (223) 226177, Bamako, Mali

M. Moussa-Alassane Toure, Directeur National Aeronautique Civile, BP 227, Fax No. (223) 226177, Bamako, Mali

MOROCCO

Mr. A. Daoudi, Director of Air,....., P.O.Box....., Rabat, Morocco

MAURITIUS/MAURITIUS

Sir Harry K. Tirvengadum, Managing Director, ..., P.O.Box ....., Fax .....

Mr. J.Soobarah, Director of Civil Aviation, P.O.Box SSR Int. Airport, Plaine Maguien, Fax No. 6373164, Mauritius

Mr. A. Gungah, Acting Deputy Director of Civil Aviation, P.O.Box SSR Int. Airport, Plaisance, Plaine Maguien, Fax No. (230) 6373164, Port Louis

Mr. S. Taukoordass, Principal Assistant Secretary, Mauritius, P.O.Box....., Fax no.....

Mr. M.D.Beeharry, Assistant Secretary, ..., Fax No.212 1673

MAURITANIA/MAURITANIE

M. M'Boirick Oul Gharve, Directeur P.J. Aviation Civile, BP 91, Fax No. ....., Nouakchott, Mauritanie

MOZAMBIQUE/MOZAMBIQUE

Mr. Delfim de Deus, Deputy Director of Civil Aviation (Acting), P.O.Box 227 -Maputo, Fax No. 465-415, Maputo, Mozambique

NAMIBIA

Hon. Marco M. Hausiku, Minister of Works, Transport and Communications, Windhoek, Private Bag 12005, Fax No....., Namibia.

Mr. Gernot Riedel, Deputy Director, Aviation Administration and Navigation Facilities, Ministry of Transport, P/Bag 12005, Fax No. 238884/5, Windhoek, Namibia

NIGER/NIGER

M. Mahamane Abdou Goge, Conseiller Ministre Transports, BP....., Fax No. ....., Niamey, Niger

M. Oumarou Ganda, Directeur de l'Aviation Civile, BP 727, Fax No. ....., Niamey, Niger

NIGERIA/NIGERIA

Mr. M.M.A.Agbabiaka, Managing Director and Chief Executive, FCAA, PMB 21038, Ikeja, Fax No....., Lagos Nigeria

Mr. F.O.Osobukola, Assistant Director, International Relations, Federal Ministry of Transport and Aviation, 14, Broad Street, Lagos, Fax No.: ....., Nigeria

SENEGAL/SENEGAL

M. Amadou Balla Diagne Directeur de l'Aviation civile, Cite Batterie Villa No. 27, Dakar Yoff, Fax No. ....., Senegal

SEYCHELLES/SEYCHELLES

Mr. Freddy A. Karkaria - Director General of Civil Aviation, P.O.Box 181, Fax No.: 373222, Victoria, Seychelles

SUDAN

H.E.Mr.Mansour Abdul Rahim Mohamedin- State Minister of Defence, Ministry of Defence, P.O.Box 430, Fax No. 79715, Khartoum, Sudan

Brig. P.S.C. (Pilot) Abdalla Ali Safi El Nur - Director of Civil Aviation Authority , P.O.Box 430, Fax No. 79715, Khartoum, Sudan

Mr. Mohamed Osman Mahmoud - Head of organizations and International Affairs Sec., Civil Aviation Authority, P.O.Box 430, Fax No. 79715, Khartoum, Sudan

SOUTH AFRICA

Mr. Japie Smit, Commissioner for Civil Aviation, Department of Transport, Private Bag X193, Fax No. (012) 324 3486, (012) 324 3486, Pretoria, South Africa

SWAZILAND/SWAZILAND

Prince Matatazela Dlamini, CEO/MD, Box 939, Manzini, Fax No. (268) 86148, Swaziland

Mr. Douglas Litchfield, Director of Civil Aviation, Ministry of Transport and Communications, P.O.Box 2652, Fax No. (268) 46438, Mbabane, Swaziland

TOGO/TOGO

Mr. Ayikoe Joachim Akakpo, Directeur de l'Aviation Civil, BP 2699, Fax No.:..... Lome, Togo

M. Kossi Tsidji, Chef, Division Affaires Jurisdiques, DAC, Direction Aviation Civile, BP 2699, Lome, Togo

TUNISA/TUNISIE

M. Mohamed Taieb, Directeur General de l'Aviation Civile, Ministere des Transports 13 Rue 8006 Zone, Monplaisir, Tunis. Fax 794227

M. Nabil Chettaoui, Sous Directeur des Etudes Economique, Ministre du transport, 13 R. 8006, Zone, Monplaisir, Tunis, Fax No. 794227

Hadj Sassi Mohamed, Directeur du Marketing, TUNIS-Air, Fax No.....

THE UNITED REPUBLIC OF TANZANIA/TANZANIE

Dr. C.V.Mpinga Magana, Director General of Civil Aviation, P.O.Box 2819, Fax No.: 46798, Dar-es-Salaam, Tanzania

CHAD/ TCHAD

M. Doroum Ndouba-Goudou, Director Adm. et Fin., Air Tchad, BP 168, Fax No..... N'Djamena, Tchad

UGANDA/OUGANDA

Hon. John Mwono Nasasira, Deputy Minister, Minister of Works, Transport and Communications, P.O.Box 10, Fax No. 20135, Entebbe, Uganda

Mr. A.K.Akandonda, Managing Director, Civil Avition Authority, P.O.Box 5536, Fax No. 256807, Kampala, Uganda

Mrs. Margaret Nanfuka Kyeyune, Senior Assistant Secretary, P.O.Box 10, Fax No. 20135, Entebbe, Uganda

Mr. Kabbs Twijuke, Director of Air Transport, Civil Aviation Authority, P.O.Box 5536, Fax No. 256807, Kampala, Uganda

ZAIRE/ZAIRE

M. Manyeka Katalay, Directeur, SCIBE Airlift, P.O.Box 614, Fax No. ....., Kinshasa, Zaire

M. Kis Kabala Kangamina, Conseiller Juridique/RVA, BP 6579, Fax No. ....., Kinshasa, Zaire

M. S. Lessedjina, President Directeur general de la Regie des Voies Aeriennes, BP 14873, Fax No. ....., Kinshasa I, Zaire

ZAMBIA/ZAMBIE

Mr. Jimmy Zulu, Director of Civil Aviation, P.O.Box 50137, Fax No. 224777, Lusaka, Zambia

Mr. Michael Sinyangue, Managing Director, National Airports, Box 30175, Lusaka, Zambia, Fax 224777

ZIMBABWE

Mr. Amos Marawa, Director, Department of Civil Aviation, P.Bag 7716, Causeway, Harare, FAX NO. ....., Zimbabwe

ORGANIZATION

UNDP/PNUD

Mr. M. Jale, Deputy Resident Representative of Mauritius, BP 253, Fax No....., Port Louis

Organization of African Unity (OAU)

Mr. Yao Afanou, Chef, Division des Transports et Communications, BP 3243, Fax No. ....., Addis Ababa, Ethiopia

ADB/BAD

Mr. Kouassi Apetey, Director Infrastructure and Industries Department, ADB, 01 P.O.Box 1387, Abidjan, Côte d'Ivoire, Tel. No. 20497, Telex 93717, Fax 204902.

M. Micah Ajijo, Senior Transport Economic, ADB, 01 P.O.Box 1387, Tel. No.: 204047, Fax No. 204902, Abidjan, Cote d'Ivoire

AFRICAN AIRLINES ASSOCIATION (AFRAA)

Mr. M. Ahmed, Secretary General, AFRAA, P.O.Box 20116, Fax No. 502504, Nairobi, Kenya

Mr. Aberra Makonnen, Director Corporate and Industry Affairs, P.O.Box 20116, Fax No. 502504, Nairobi, Kenya

Mr. Rexter R. Ndhlovu, Traffic Director, AFRAA, P.O.Box 20116, Fax No. ....., Nairobi, Kenya

ASECNA

Mr. Blaise Mbougoua Aby, Chef de Cabinet du DG/ ASECNA, BP 3144, Fax No. ....., Dakar, Senegal

Mr. M. Rajaofetra, Director General

AFCAC/CAFAC

Mr. J.R.Razafy, Secretaire general, CAFAC, BP 21356, Fax No. (221) 232661

Mr. V. Savane, Ct/Ministre Transports, 07 BP 290, Fax no.(221) 232661, Abidjan Cote d'Ivoire

Mr. Ben Dadzie, Air Transport Expert, AFCAC, BP 2356, Fax No. (221) 232662, Dakar, Senegal

Mr. Amadou T. Hane, Expert Associe, CAFAC, 15 Bld de la Republique, Fax No. (221) 232661, Dakar, Senegal

INTERNATIONAL CIVIL AVIATION ORGANIZATION

Mr. John Gunther, Chief Economic Policy Section, 1000 Sherbrooke St. W., Montreal, Quebec, Fax No. ....., Canada

Mr. Amadou Cheiffou, Regional Representative, ICAO, BP 2356, Dakar, Fax No. ....., Senegal

Mr. Jerome Belinga, Regional Language Officer, ICAO, P.O.Box 2356, Fax No. ..... Dakar, Senegal

SADC/SATCC

Mr. Omari R. Nundu, Civil Aviation Specialist, BP 2677, Fax No. ..... Maputo, Mozambique

ECOWAS

Mr. Zaklu Gunubu, Principal Officer of Transport, ECOWAS, PMB 12745, Telex 22633, 23749 ECOWAS NG, Lagos, Nigeria

IATA

Mr. Sassy N'Diaye, Regional Director for Africa and the Indian Ocean

ICAO/OACI

Mr. Z. M. Baliddawa, ICAO Regional Representative, P.O.Box 46294, Fax No. 2542 226706, Nairobi, Kenya

Mr. A. Cheiffou, ICAO Regional Representative, BP 2356, Dakar, Senegal

Mr. J. Gunther, Chief Economic Policy Section, ICAO, 1000 Sherbrooke St. W. Monstrea, Quebec, Canada

INDIAN OCEAN COMMISSION

Mr. J.Bonnelame, Secretary General

AIR AFRIQUE

M. Yves Roland Billecart, Chairman and Chief Executive, Air Afrique, 01 BP 3927, Abidjan, Fax No. 225 20 30 08, Cote d'Ivoire

Mr. Pape Thiam, Directeur Europe, Air Afrique, 29 rue du Colisee, Paris 8a, Fax No. ....., France

M. Georges Amoussou, Directeur Affaires Internationales, 01 BP 3526 Abidjan, Fax No. ....., Cote d'Ivoire

M. Jacques Kabylo, Chef du Service Accords Aérienns et Conférrences Internationales, 01 BP 3927, Fax No....., Abidjan, Cote d'Ivoire

M. Seydou Coulibaly, Charge des Relations Internationales, 01 BP 3927 Abidjan 01 Cote d'Ivoire

AIR BOTSWANA

Mr. J.B.Galeforoine, Acting General Manager, Air Botswana, P.O.Box 92, Fax No....., Gaborone, Botswana

AIR BURKINA

Monsieur Paul Antoine Ganemtore, Directeur Général, Air Burkina, 01 BP 1459, Fax No. ....., Ouagadougou, Burkina Faso

AIR BURUNDI

Mr. Pierre Claver Nduwimana, Chef du Service Transport Aerien, BP 694, Fax No....., International airport, Bujumbura

EGYPT AIR

Mr. Hussein Sherif Ahmed Fahmi, Head organizations and Government affairs, Egypt Air, 6 Adly St., Cairo, Egypt, P.O.Box....., Fax No.....

ERITREAN AIRLINES

Mr. Abraha Ghermazion, General Manager, P.O.Box 222, Fax No. 124775, Asmara, Eritrea

ETHIOPIAN AIRLINES

Mr. Daniel Hailu, ..., Ethiopian Airlines, P.O.Box 1755, Fax No....., Addis Ababa, Ethiopia

Mr. Aberra Sida, Executive Officer, Corporate Planning and Development, P.O.Box 1755, Fax No. ....., Addis Ababa, Ethiopia

AIR MALI S.A.

F. Samassekou, PDG/Aeroports, Air Mali S.A., BP 230, Fax No. ....., Bamako, Mali

M. Abderahoiane Berthe, Directeur General, Air Mali S.A., BP 543, Fax No. ....., Bamako, Mali

AIR MADAGASCAR

M. J.P. Randriambeloma, Directeur General Adjoint, Air Madagascar, 31 Av. Independance, BP 437, Fax No.33760, Antananarivo

AIR MOZAMBIQUE (LAM)

M. A.J.Macaba, Deputy Commercial Director, Mozambique Airlines, P.O.Box 2060, Fax No. 465568, Maputo, Mozambique

NIGERIA AIRWAYS

Mr. Abiodun Famodimu, Deputy Director Marketing, Nigeria Airways, Mourtala Muhammed Airport, P.O.Box....., Fax No....., Lagos, Nigeria

Mr. Andrew Agom, MD/CE Nigeria Airways, 26 Glover Rd Ikoyi, P.O.Box....., Fax No....., Lagos, Nigeria

AIR GABON

M. René Morvan, Directeur Général de la Compagnie Nationale Air-Gabon, BP 2206, Fax No. ....., Libreville, Gabon

Messieurs Dieudonné MFOUBOU-MOUDHOUMA Directeur commercial, BP 2206, Fax No. ....., Libreville, Gabon

François COMBARY, Conseiller Directeur Général, BP 2206, Fax No....., Libreville, Gabon

CAMEROON AIRLINES

M. Jean Ceccarelli, Directeur General, Cameroon Airlines, BP 4092, Fax No....., Douala Cameroon

M. Bernard Nsang, Commercial Director, Cameroon Airlines, P.O.Box 4092, Fax No. 42 34 59, Tel No. 42 02 09 Douala, Cameroon

M. J.Barla edwe, Chef de Centre de Vol, BP ....., Fax No. ....., Douala, Cameroon

CAPE VERDE AIRLINES

Mr. A. Carvalho, Managing Director, Cape Verde Airlines, P.O.Box ....., Fax No.....,

AIR IVOIRE

M. Adom Nicolas, Directeur General d'Air Ivoire, BP 19 BP 233, Fax No. ....., Abidjan, Cote d'Ivoire

M. Kossehasse Gnahoua, Directeur Commercial d'Air Ivoire, BP 10, Fax No. ....., Abidjan 07, Cote d'Ivoire

AIR TCHAD

M. Doroum Ndouba-Goudou, Director Adm. et Fin. Air Tchad, BP 168, Fax No....., N'Djamena, Tchad

KENYA AIRWAYS

Mr. Lewis Kamau, Company Secretary, Kenya Airways, P.O.Box 19002, Fax No. 822482, Nairobi, Kenya

LINA CONGO

M. Jean Nzikou, Directeur General LinaCongo, BP 2203, Fax No. ....., Brazzaville, Congo

AIR MALAWI

Mrs. K.M.Yatina
Capt. L.P.Mbilizi - General Manager

AIR MAURITANIE

M. Momoudou Ba, Directeur Commercial, Air Mauritanie, BP 41, Fax No. ....., Nouakchott, Mauritanie

AIR MAURITIUS

Mr. V. Chidambaram, Director, Planning and Information Systems, Air Mauritius, P.O.Box....., Fax No.....,

AIR NAMIBIA

Mr. Strydom Martin D., Corporate Legal Advisor, Air Namibia, P.O.Box 3858, Fax No....., Windhoek Namibia

SOUTH AFRICAN AIRWAYS

Mr. Vic V.D.Westhuizen, Commercial Manager, Air Traffic and Navigation Services, Jan Smuts Airports, Private Bag X 15, Jan Smuts, 1627, Fax No. (011) 392 3946

SUDAN AIRWAYS

Mr. Elrasheed Ballal, Marketing Director, Sudan Airways, P.O.Box 253, Fax No. 452359, Khartoum, Sudan

Mr. Sheikh El Din Abdalla, Chairman, Sudan Airways, P.O.Box 19, Fax No. ....., Khartoum Airport, Khartoum, Sudan

AIR TANZANIA

Mr. P. Matumula, Commercial Director Air Tanzania, Box 543, Fax No....., Dar es Salaam, Tanzania

TUNISAIR

Mr. Mohamed Haj Sassi, Directeur du Marketing, Tunis Air, Avenue 7 November 87, Fax No. ....., Tunis, Tunisie

UGANDA AIRLINES

Mr. Benedict Mutyaba, General Manager, Uganda Airlines Corporation, 6 Colville 5, Box 5740, Fax No. 257279, Kampala, Uganda

AIR ZIMBABWE

Mr. H. Muringi, Managing Director, Air Zimbabwe Corporation, Harare International Airport, P.O.Box..... Fax No....., Harare, Zimbabwe

Mr. Ticha T. Garabga, General Counsel/Corporates Sec., Air Zimbabwe Corporation, Box AP1, Harare Airport, Harare, Zimbabwe, Fax No. .....

OBSERVERS

AIR TRANSPORT WORLD

Mr. Anthony Vandyk

BOMBARDIER INC.

Mr. Bruce Peddle, Account Executive Africa

FRANCE

M. A. Veillard, Charge de Mission DGAC France, 48 rue Camille des oesmoulins, 92452, ISSY Les Moulineaux CEDEX, Fax No. 33141094663

SITA

M. T. Aissy, General Manager, 112 Av.Ch de Gaulle, Neuilly-sur-Seine. Fax No....., France

M. D.Angell, Personal Assistant to General Manager for Africa, 112 Avenue Charles de Gaulle, 92200 Neilly-su-Siene, France, Fax No.....

M. Terence John Rees, Deputy General Manager Africa, 112 Ave. Ch. de Gaulle, Neilly, Fax No....., France

M. Bernard Ruty, Regional Director SITA, P.O.Box 47339, Fax No....., Nairobi, Kenya

M. Rabeea Mamdojee, Representative SITA, Rogers House, P.O.Box ....., Fax No....., Port Louis, Mauritius

ECA Secretariat

Mr. M. Bongoy, Chief, Transport, Communications and Tourism Division, P.O.Box 3001, Tel. 251-1516551, Fax No. 251-1-510391, Addis Ababa, Ethiopia

Mr. H. Koumare, Economic Affairs Officer in charge of Air Transport, TCTD, Addis Ababa, Ethiopia

Mr. M.E.Dhliwayo, Economic Affairs Officer, TCTD, Addis Ababa, Ethiopia