

African Union, African Regional Bodies

## Declaration of Yamoussoukro on a New African Air Transport Policy

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African Union

## Declaration of Yamoussoukro on a New African Air Transport Policy

Published on 17 October 1988

**Commenced**

*[This is the version of this document at 17 October 1988.]*

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

*Considering* the Lagos Plan of Action and Final Act of Lagos adopted in April 1980 by the Assembly of Heads of State and Government of the Organization of African Unity;

*Considering* the Declaration of General Policy in the field of civil Aviation endorsed by the Assembly of Heads of State and Government of the Organization of African Unity in resolution CM/Res.804(XXXV) of June 1980,

*Considering* the various resolutions adopted by the Conference of African Ministers of Transport, Communications and Planning on air transport matters and endorsed by ECA Conference of Ministers, in particular resolutions ECA/UNTACDA/Res.79/6 of May 1979 and ECA/UNTACDA/Res.83/84 of March 1983 on the freedoms of the air, ECA/UNTACDA/Res.79/11 of May 1979 on the establishment of an African Conference for renegotiating and approving tariffs; ECA/UNTACDA/Res. 86/60 of March 1986 on the establishment of a well co-ordinated network of aircraft maintenance and overhaul centres in Africa,

*Convinced* that air transport is an important tool for the promotion of social and economic development in Africa and in the world,

*Convinced* that due to the international nature of air transport, measures taken in one part of the world are likely to have an impact on developing countries in general and on Africa in particular,

*Aware of the* effects of deregulation in the United States and of the consequences it may have on policies of other countries for the regulation of their air transport industry,

*Gravely concerned* about the potential adverse effects on the African airlines the European air transport liberalization policies, especially the application by EEC of the Treaty of Rome to air transport services and the creation of a single internal market by 1993,

*Bearing in mind* the fact that many aircraft owned by African airlines are obsolete and thus in need of replacement at great cost,

*Conscious* of the urgent need for African airlines to renew their fleet, and in particular to comply with chapters 2 and 3 of Annex 16 to the Chicago Convention of 1944, concerning aircraft noise,

*Considering* the need for African countries to exchange traffic rights in a liberal manner in order to develop air services among themselves,

*Noting* the urgent need for all African airlines to market their product competitively through an unbiased computerized reservation system,

*Aware* that most African airlines operate at a loss and that they consume a considerable part of their countries' meagre foreign exchange resources,

*Recognizing* the fragility of the present air transport industry in Africa and the smallness of its market,

*Recognizing* the urgent need for African airlines to improve their management and to co-operate among themselves,

*Guided* by the will to fight against under-development under the framework of a new and just international economic order,

*Strongly resolved* to considerably restructure African air transport in order to make it contribute more significantly to the national development of African States and to the continent's social and economic integration,

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

## **Co-operation in air transport**

### **A. Integration of airlines**

We commit ourselves, individually and collectively, to make all the necessary efforts to achieve the integration of our airlines within a period of eight years. This integration should be done through the strengthening of existing co-operative structures and the creation of new entities either on a subregional basis, on the basis of economic groupings or on the basis of affinity. To this end, studies and consultations will be carried out immediately. The process towards the total integration of our airlines could be carried out in phases as indicated hereunder, it being understood that in certain cases it may not be necessary to go through all the phases.

Our Governments agree:

### **During Phase I**

- (a) to exchange information on the value and type of equipment and facilities of each African airlines, including aircraft capacity, aircraft type, training, and maintenance facilities,
- (b) to initiate action for the maximum use of any available capacity and in this connection investigate the possibility of designating gateway airports from which other airlines could feed their traffic with a view to improving profitability;
- (c) to promote co-operation between their national airlines with a view to amalgamating them into larger, more efficient and competitive entities.

### During Phase II

To commit their airlines to the joint operation of compatible and international routes and to carry out jointly certain aspects of airline operations particularly in the following areas:

- (a) Joint insurance;
- (b) Computerized reservations system;
- (c) Joint purchase of spare parts;
- (d) Joint aircraft purchasing and/or leasing;
- (e) Joint or common designation of flights;
- (f) Common access to the market and granting of traffic rights;
- (g) Consolidation of sales outlets and station handling activities including mutual representation in sales offices;
- (h) Joint promotion and sale of the joint services;
- (i) Revenue and cost sharing;
- (j) Harmonization of existing individual networks;
- (k) Training facilities;
- (l) Maintenance and overhauling of equipment.

### And during Phase III

To achieve the complete integration of airlines, especially according to the three schemes below:

- (a) *Consortium*: Close collaboration between the members without creating an independent legal entity;
- (b) *Jointly owned airlines*: The partners may create a separate legal entity to manage the affairs of the partners. Under this arrangement the partners merge their operations while maintaining their individuality.
- (c) *Merger*: The partner airlines combine to form a single entity replacing the separate airlines that existed before the merger.

African Governments shall strive to undertake actions necessary to reach Phase III as quickly as possible according to the following timetable:

Phase I	2 years
Phase II	3 years
Phase III	3 years

## **B. Traffic rights**

During the implementation of the programme for the integration of our airlines the need to exchange traffic rights will be gradually eliminated. During the period of transition, it is necessary to show more flexibility in the granting of the fifth freedom to African airlines.

Groupings of countries co-operating in the establishment of joint multinational airlines will exchange traffic rights among themselves without restriction and shall formulate a common policy for the granting of traffic rights to carriers from outside Africa.

## **C. Costs and Tariffs**

Recognizing the relationship between tariffs and airline operating costs, African Civil Aviation Administrations and airlines undertake to increase their technical co-operation, especially in the fields of maintenance and overhaul of aircraft, fleet planning and joint purchase activities, the use of ground equipment and collective insurance so as to minimize operating costs and thereby reduce tariffs.

Immediate action shall be taken by African States that have not yet done so to ratify the Convention on the African Air Tariff Conference (AFRATC), a forum for African airlines to study, discuss and agree on air tariffs to, from and within Africa.

### **Improvement of management**

The ultimate integration of our airlines should be based on the improvement of their financial situation. We undertake to improve the management of existing national airlines through a programme of intensive training aimed at making available to them manpower, who are qualified and skilled in this field, competence being the sole criterion for the appointment of all staff. Every effort would be made to retain specialist staffs who are hard to come by, within the airlines.

We further undertake to intensify our efforts to accord priority to the use of existing training facilities within Africa.

### **Financing of air transport activities**

Within the framework of the integration of our airlines into larger units we shall seek to purchase equipment jointly in order to enhance our ability to acquire modern aircraft.

We shall also work towards the establishment of an African aircraft leasing and financing company so as to facilitate the acquisition of equipment by African airlines.

To this end, we call on African financing institutions, in particular ADB, and other multinational financing institutions to give high priority to activities for the implementation of the objectives set out in this Declaration. We also encourage African private capital to get involved in the financing of air transport activities.

### **Product distribution system**

We commit ourselves to combatting the invasion of our national markets by non-African distribution systems and, to that end, we shall as a matter of urgency:

- (a) initiate studies leading to the establishment of an African joint computerized reservation system;
- (b) take the necessary measures to protect our local markets by requiring travel agents to use the computerized reservation system used by our national carriers;
- (c) pending the creation of an African joint computerized reservation system, cooperate in selecting a system offering the best terms and conditions for our airlines and shall negotiate collectively for its use;
- (d) support the current efforts of ICAO which aim at the adoption, at the international level, of a code of conduct for the unbiased use of computerized reservation system taking into account the specific interests of our airlines.

### **Aircraft noise**

We agree to work out a common position regarding the adoption and application of measures concerning aircraft noise restrictions in accordance with our economic situation.

We reaffirm our determination to take all the necessary steps to prevent the introduction into our countries of aircraft that are no longer in use elsewhere because of noise restrictions.

We also agree not to impose restrictions on aircraft presently registered in Africa that do not comply with current noise standards.

### **Mechanism for implementation and follow-up**

We hereby decide to entrust the task of co-ordinating the implementation of the objectives set out in this Declaration to the Economic Commission for Africa. In this regard, we request the Economic Commission for Africa to liaise with the Organization of African Unity, the African Civil Aviation Commission, the African Airlines Association and other organizations concerned.

We commit ourselves to take all the necessary steps to facilitate the implementation of this Declaration and to instruct the Ministers responsible for Civil Aviation of the following subregions to coordinate this implementation:

North Africa:	Name of country to be communicated to ECA later
East Africa:	United Republic of Tanzania
West Africa:	Republic of Cote d'Ivoire
Central Africa:	Republic of Gabon
Southern Africa:	Name of country to be communicated to ECA later.

Finally, we agree to meet as often as possible during each phase of the implementation of the decisions we have taken in order to assess progress made.

The following countries were represented:

- Algeria
- Benin
- Botswana
- Burkina Faso
- Burundi
- Cameroon
- Cape-Verde
- Central African Republic
- Chad
- Congo
- Cote d'Ivoire
- Egypt
- Ethiopia
- Gabon
- Gambia
- Ghana
- Guinea
- Guinea Bissau
- Equatorial Guinea
- Kenya
- Liberia
- Libya
- Madagascar

- Mali
- Morocco
- Mauritius
- Mauritania
- Niger
- Nigeria
- Uganda
- Rwanda
- Senegal
- Sierra Leone
- Somalia
- Swaziland
- Tanzania
- Togo
- Tunisia
- Zaire
- Zimbabwe