

African Ministers Need To Drive Greater Consensus



Ministers and Heads of delegation posing for a group photograph

African Union Ministers responsible for Air Transport in Africa convened at the historic city of Addis Ababa to find solutions for an effective and efficient air transport system in Africa. The Ministers' meeting hosted at the African Union Headquarters was preceded by a three-day meeting of experts.

The theme of the conference was "Achieving A Single, Safe And Secure Airspace For Africa's Development And Integration."

Strong entreaties at the opening of the meeting of experts, including that from Mr. Getachew Mengiste, the Minister delegate of Transport and Communications of the Federal Republic of Ethiopia, primed delegates to pour out their wealth of ideas with greater emphases on implementation. Mr. Mengiste told the experts: "It is my hope that this meeting will discuss clear road-maps. I request you to evaluate the status of Yamoussoukro (Decision) and we need to focus on the challenge and opportunities facing Africa's civil aviation, I urge you to be patient."

The Commissioner for Infrastructure and Energy of the African Union, Dr. Bernard Zoba, charged industry leaders to complement new industry projects including airports and airlines with the creation of a single, homogenous, rationalized and competitive airspace in Africa. The meeting of ministers was declared open by Mr. Girma Wolde-Giorghis, President of the Federal Democratic Republic of Ethiopia, with support from such personalities as Hon. Emile Ouosso, Minister of Transport and Civil Aviation of the Republic of Congo and Chairman of the Conference of African Ministers; Dr. Bernard Zoba; Mr. Tshepo Peege, President of the African Civil Aviation Commission (AFCAC); Mr. Christian Folly-Kossi, Secretary General of the African Airlines Association (AFRAA), and Hon. Junejdi Saddo, Minister of Transport and

Communications of the Federal Democratic Republic of Ethiopia.

Pertinent Resolutions

The Ministers reaffirmed the urgency to put in place the Executing Agency for the YD, thus vesting that duty on AFCAC. The ministers also directed the AU Commission to look into the possibilities of providing AFCAC with financial assistance.

The Ministers also adopted a Declaration on Civil Aviation Security in Africa aimed at enhancing the control system of acts of unlawful interference in Africa. These declarations supplement the Resolution on Civil Aviation Security in Africa adopted in Libreville in May 2006. These two legal instruments will assist member States in better complying with ICAO Standards and Recommended Practices (SARPS).

The Ministers also recommended that the AU should make the necessary arrangements to finalize and submit to member States for approval the harmonization of competition rules in the field of air transport in Africa, and the dispute settling mechanism.

After adopting the Plan of Action of Addis Ababa, the Ministers agreed to re-assert the

relevance of their Plan of Action in Libreville. The Ministers also recommended that the AU Commission should proceed with the implementation of this Plan of Action and conduct an evaluation on the matter.

Divided By Divergent Positions

Following the call by Ministers from Sun City for a common African position relating to the European Union Community Clause and Negotiating Mandate, legal experts had worked assiduously for the past three years to draft a document for the experts to consider.

The objectives were two-fold. Member States shall ensure that all existing bilateral or multilateral air service agreements with the EU States that do not conform to the common African position and provisions of the YD shall be amended or replaced by new agreements that are wholly compatible with the African position. Member states shall ensure that in their relation with third countries and conducting negotiation that the defence and promotion of the common interests of African countries and airlines shall be the basis for such negotiation and external relations.

The common position itself did not pose a problem. The point variance was whether the document should be binding or not. The arguments for and against were strong.

States with the position that the document should be binding stressed that if the document was not binding, it becomes ineffective. Pushing their argument further, such States pointed to the fact that the constitutive Act of the African Union itself was binding.

States opting for a non-binding common position argued from a point of liberality and not compulsion.

Other concerns put forward were that the guidelines for negotiations would collide with



L-R: Mr. Tshepo Peege, President of AFCAC; Dr. Benard Zoba, Commissioner for Energy & Infrastructure, African Union; and H.E. Girma Wolde-Giorghis, President Federal Democratic Republic of Ethiopia