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DEPARTMENT OF INFRASTRUCTURE AND ENERGY

**MEETING OF EXPERTS OF THE MINISTERIAL WORKING
GROUP ON ESTABLISHMENT OF A SINGLE AFRICAN
AIR TRANSPORT MARKET**

CONCEPT NOTE

Addis Ababa, Ethiopia,

16th – 18^{THt} October 2017

I. INTRODUCTION

1. In order to move the continent forward towards the concrete implementation of the AU Agenda 2063, the flagship project on the establishment of a Single African Air Transport Market (SAATM) through the implementation of the 1999 Yamoussoukro Decision on the Liberalisation of Air Transport markets in Africa (YD), the 24th Ordinary Session of the African Union (AU) Assembly took specific decisions namely: (i) **Assembly/AU/Decl.1(XXIV): Declaration on the Establishment of a Single African Air Transport Market**; (ii) **Assembly/AU/Dec.565(XXIV): Decision on the Development of the AU Agenda 2063**; and (iii) **Assembly/AU/Commitment (XXIV): Solemn Commitment by African Union Member States to the Implementation of the Yamoussoukro Decision towards the establishment of a Single African Air Transport Market by 2017**.

2. To that end, the Union Assembly established a Ministerial Working Group to oversee and guide implementation of agreed activities and road map for the establishment of a Single African Air Transport Market by 2017 [Assembly/AU/Commitment(XXIV)]. The working group was initially composed of Ministers responsible for Air Transport of the Eleven (11) Member States which declared their Solemn Commitment to the implementation of the Yamoussoukro Decision towards the establishment of a Single African Air Transport Market during the 24th Ordinary Session of the Union Assembly which took place on 30th and 31st January 2015 in Addis Ababa, Ethiopia and includes Ministers from Member States that have since joined.

3. The main functions of the Ministerial Working Group are: (i) following up implementation progress, (ii) providing guidance, and (iii) spearheading the advocacy campaign to urge the rest of the Member States to join the single market. The Ministerial Working Group is supported by air transport experts from their respective countries, the AUC, AFCAC and RECs in collaboration with other key stakeholders. In addition, a Monitoring Committee of Ambassadors and Representatives of the Member States to the African Union was established to ensure close monitoring and to facilitate the process and effectively liaise between the Commission and the Member States involved.

4. The Group held its first meeting in Addis Ababa, Ethiopia, on 17th April 2015 and agreed on a number of actions necessary for the establishment of the SAATM, constituting the Activity Road Map 2015-2017 for the Establishment of a Single African Air Transport Market. The Group then held its second meeting in Addis Ababa on the 21st October 2016. At the second meeting, the Ministers considered the tasks accomplished on the Activity Road Map and noted the following outstanding activities:

- i. Further advocacy and facilitation to involve more States in the implementation of the Yamoussoukro Decision and establishment of a single African air transport market – reminder letter to Member States;
- ii. Effective adoption of the Yamoussoukro Decision Texts by the AU organs;
- iii. Consultation and conclusion of Memorandum of Cooperation (MOC) between AFCAC and the Regional Economic Communities (RECs);
- iv. Funding of the Executing Agency;
- v. Organisation of the 3rd Ministerial Working Group meeting
- vi. Putting in place of an evaluation mechanism for implementation of the Yamoussoukro Decision and the single market project;
- vii. Formulation of implementation regulations for the Yamoussoukro Decision;
- viii. Effective operationalisation of the SAATM through the implementation of immediate steps issued to States via the AUC letter CE/L/20/188.16 of 18th May 2016;

- ix. Formulation of External Policy Guidelines and Binding Clauses for negotiation of air services agreements with third parties;
- x. Capacity building measures (training, staffing and technical assistance) for Member States, AUC, RECs and AFCAC;
- xi. Operationalisation of the African Aviation Tribunal (RECs to nominate arbitrators by July 2015);
- xii. Formulation of rules for smooth management of the Single African Air Transport Market;
- xiii. Initiate the process for facilitating the free movement of persons and goods within the SAATM (removal of non-physical barriers)
- xiv. Development of a continental air transport infrastructure master plan; and
- xv. The launching of the Single African Air Transport Market by June 2017.

5. In May 2016, the AUC wrote to those States that have signed the Solemn Commitment to highlight a number of concrete measures for them to undertake to initiate operationalisation of the single air transport market in the continent as soon as possible considering the targeted launch date of 2017. Among these measures, each State is required to officially publish in accordance with its national regulations or gazette that they are committed to the immediate implementation of the Yamoussoukro Decision under the terms of the Declaration of Solemn Commitment in line with the AU Agenda 2063; and that named signatories of the Declaration of Solemn Commitment have been notified. The AUC also requested the States to report on actions taken in implementing the outlined measures as indicated in the letter.

6. The African Union Commission also convened a consultative meeting of the Ministerial Working Group on the 16th March 2017 on the side-line of the First Ordinary Session of the African Union Specialised Technical Committee on Transport, Transcontinental and Interregional infrastructure, Energy and Tourism. Nine Member States to the solemn commitment attended the consultative meeting, presided by the Republic of Congo. This Consultative meeting underscored the need to have reports on measures taken by States and called upon the AUC to circulate reminder letters to Member States and report to the 3rd MWG meeting.

7. Twenty-Two (22) countries have currently signed the Solemn Commitment to open their respective air transport markets immediately and without conditions, namely: Benin, Botswana, Burkina Faso, Cabo Verde, Republic of Congo, Côte d'Ivoire, Egypt, Ethiopia, Gabon, Ghana, Kenya, Liberia, Mali, Mozambique, Nigeria, Rwanda, Sierra Leone, South Africa, Swaziland, Togo and Zimbabwe. As of May ending 2017, only three countries had reported on the immediate measures taken. The launching of the Market was therefore postponed to January 2018. The AUC wrote to the Member States to prepare their reports before the proposed launch date in January 2017.

8. The Single African Air Transport Market is to be launched during the January 2018 Summit. In preparation for the launch, the Experts of the Ministerial Working Group assisted by AUC, AFCAC, UNECA and RECs, need to meet, discuss and report on the implementation of the immediate measures recommended for starting the marketing and prepare recommendations for the Ministerial Working Group Meeting tentatively scheduled in 26th November 2017 as a side event at the AU-EU Summit.

II. OBJECTIVES OF THE MEETING

9. The main objective of the Expert meeting is to assess the reports from each State on the implementation of the immediate measures and to determine activities for the launching of

the Single African Air Transport Market in January 2018. The Monitoring Body of the Yamoussoukro Decision will also be convened to deliberate on draft guidelines for the negotiations of air services agreement with third countries. The members of the Monitoring Body are the African Union Commission (AUC), the African Civil Aviation Commission (AFCAC), the African Airline Association (AFRAA), the Regional Economic Communities (RECs) and the United Nation Economic Commission for Africa. The meeting will also finalise the draft Memorandum of Understanding between the AFCAC and RECs as a coordination mechanism for the operationalisation of the Single African Air Transport Market.: The meeting will also provide an opportunity for Experts from Member States to have bilateral discussions on harmonisation of their air service agreements.

III. THE SESSIONS

10. To effectively accomplish the objectives of the meeting, 3 sessions will be held as follows:

- (a) Meeting on the Memorandum of Cooperation (MOC) between the RECS and AFCAC: 17th October 2017 (**Morning**);
- (b) Meeting of the Monitoring Body to deliberate on guidelines for the negotiation air service agreement with third countries: 16th October 2017 (**Afternoon**); and
- (c) Meeting of Experts where it Member State will report on immediate steps taken. Expert will also plan activities for the launching in January 2018: 17th – 18th October, 2017. The Experts from Member States may also wish take this opportunity to hold bilateral meetings on 16th October 2017.

11. The proceedings and recommendations from meetings (a) to (c) will finally be presented to the Ministerial Working Group for consideration and adoption at its next meeting.

IV. EXPECTED OUTCOMES

12. In line with the specific objectives of the meeting, the following outputs are targeted:

- a) Finalisation of the Memorandum of Cooperation (MOC) between AFCAC and the Regional Economic Communities (RECs) on the implementation of the Yamoussoukro Decision and management of the single African air transport market;
- b) Approval by the Monitoring Body of guidelines for the negotiation of air service agreement with third countries and protocol on the approval and authorisation of airlines;
- c) Compiled status report on measures taken by the Member States; and
- d) Plan of activities and recommendations for launching the SAATM in January 2018.

13. The outcome of this meeting will be outlined in a report to be submitted to the Ministerial Working Group meeting scheduled in November 2017.

V. PARTICIPANTS

14. The following entities will invited to participate in the meeting:

1. At least 2 Experts from Member States that have signed the Solemn Commitment including the Focal persons;
2. African Union Commission;
3. African Civil Aviation Commission (AFCAC);
4. Regional Economic Communities (RECs);
5. Members of the Monitoring Body of the Yamoussoukro Decision;
6. NEPAD Planning and Coordination Agency (NPCA);
7. African Airlines Association(AFRAA);
8. Invitation will also be made to all member States who are willing to sign up to the Solemn Commitment to the SAATM;
9. Representative of IATA-Africa; and
10. Other Partners as appropriate.

VI. DATE AND VENUE OF THE MEETING

15. The meeting will be held at the African Union Head Quarters in Addis Ababa, Ethiopia from **16th to 18th October 2017**. The AUC, as the host of the meeting, will provide the meeting room, interpretation and translation services (English and French only for the Expert Meeting) refreshments and ground transport for participants. Sponsorship will be provided to one delegate per Member State, Regional Economic Community and NPCA.

VII. Contact Persons

Participants should send their passport details to the following contact address: Mr David Kajange, Head of Transport and Tourism division at: Kajange@africa-union.org with copy (cc) to Mrs Miriam Araya, at: MiriamA@africa-union.org.