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EXECUTIVE COUNCIL
Thirteenth Ordinary Session
24 – 28 JUNE 2008
Sharm El-Sheikh, EGYPT

EX.CL/432 (XIII)

**REPORT ON THE FIRST AFRICAN UNION CONFERENCE
OF MINISTERS OF TRANSPORT (CAMT)**

EXECUTIVE SUMMARY

INTRODUCTION

1. The First Session of the Conference of African Ministers of Transport (CAMT) was held on 24 and 25 April 2008 in Algiers, the People's Democratic Republic of Algeria, under the theme: ***“Transport: engine of integration and sustainable development in Africa”***. The conference was preceded by a preparatory meeting of experts which took place from 21 to 23 April 2008 at the same venue.

2. In attendance were Ministers of Transport and Experts from thirty nine (39) African Union Member States as well as representatives of Regional Economic Communities (RECs), specialized institutions and partner organizations.

3. A new Bureau of the Conference of African Ministers of Transport was elected for a two-year period (2008 – 2010) to replace the one that had held office from 2006 to 2008. The current Bureau which presided over the proceedings of the Algiers session of the conference has the following membership:

Chairman:	Algeria (North Africa)
1 st Vice-Chairman:	Zimbabwe (Southern Africa)
2 nd Vice-Chairman:	Ethiopia (Eastern Africa)
3 rd Vice-Chairman:	Mali (Western Africa)
Rapporteur:	Gabon (Central Africa)

ISSUES DISCUSSED

4. The Ministers considered and made a number of recommendations on the various key issues and challenges currently facing the transport sector in Africa. The main topics of the conference were as follows hereunder:

- Operationalisation of the Conference of African Ministers of Transport: Draft Rules of Procedure;
- Status of Transport Development in Africa;
- Implementation of Plans of Action in the transport sub-sectors (Air, Maritime, Railway and Road Transport);
- Multimodal Transport;
- Financing of transport infrastructure development; and
- Coordination of transport infrastructure development in Africa.

OUTCOME

5. At the end of their deliberations, the Ministers adopted the following documents:

- Rules of Procedure of the Conference of African Ministers of Transport
- Guidelines for Negotiation of Air Service Agreements between African Union States and the European Commission and/or European Union States
- Algiers Declaration on Transport in Africa; and
- Revised Plans of Action for Air, Maritime, Railway and Road Transport.

6. The Executive Council is invited to note the enclosed Report of the 1st Session of the Conference of African Ministers of Transport and endorse the attached documents as adopted by the Ministers at the Conference.

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**FIRST SESSION OF THE CONFERENCE
OF AFRICAN MINISTERS
OF TRANSPORT (CAMT)
21 – 25 April 2008
Algiers, ALGERIA**

AU/TPT/MIN/Rpt. (I)

REPORT OF THE MINISTERS' MEETING

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I. INTRODUCTION

1. The First Session of the Conference of African Ministers of Transport (CAMT) was held on 24 and 25 April 2008 at the Palais des Nations in Algiers, the People's Democratic Republic of Algeria, under the theme: ***“Transport: engine of integration and sustainable development in Africa”***. The conference was preceded by a preparatory meeting of experts which took place from 21 to 23 April 2008 at the same venue.

II. PARTICIPATION

2. The following Member States took part in the conference: Algeria, Angola, Benin, Burkina Faso, Burundi, Cameroon, Chad, Congo, Côte d'Ivoire, Democratic Republic of Congo, Djibouti, Egypt, Ethiopia, Gabon, Ghana, Guinea, Kenya, Liberia, Libya, Madagascar, Malawi, Mali, Mauritania, Mozambique, Namibia, Niger, Nigeria, Republic of Central Africa, the Arab Sahrawi Democratic Republic, Senegal, Somalia, South Africa, Sudan, Swaziland, Tanzania, Tunisia, Uganda, Zambia and Zimbabwe.

3. Also, the following Regional Economic Communities (RECs) participated in the conference: the Economic Community of Central African States (ECCAS), the Economic Community of West African States (ECOWAS), the Sahel-Saharan States Development Community (CEN-SAD), and the Common Market for Eastern and Southern Africa (COMESA).

4. Furthermore, the conference was attended by the following continental and international organizations: the African Development Bank (ADB), the United Nations Economic Commission for Africa (ECA), the International Maritime Organization (IMO), the European Commission (EC), the African Civil Aviation Commission (AFCAC), the African Airline Association (AFRAA), the Union of African Railways (UAR), the International Union of Railways (UIC), the Southern Africa Railways Association (SARA), the African Centre for Meteorological Applications for Development (ACMAD), the Trans-Sahara Highways Coordination Committee (CLRT), the International Civil Aviation Organization (ICAO), the Maritime Organization of West & Central Africa (MOWCA), the Union of African Shippers Councils (UASC), the Infrastructures Consortium for Africa (ICA), the Sub-Sahara Africa Transport Policy Program (SSATP), the Secretariat of the Abuja Memorandum of Understanding (Abuja MoU), and the International Air Transport Association (IATA).

5. The list of participants is appended to this report.

III. OPENING CEREMONY

6. The opening ceremony was presided by the Head of Government of the People's Democratic Republic of Algeria, His Excellency Abdelaziz BELKHADEM and marked by the following addresses:

Welcome address by the Algerian Minister of Transport, Hon. Mohammed MAGHLAOUI

7. The Algeria Minister of Transport, Honourable Mohammed MAGHLAOUI welcomed the Ministers of Transport of the African Union Member States and the representatives of African and International organizations who came to Algeria for this continental event.

8. Minister MAGHLAOUI congratulated the African Union Commissioner for Infrastructure and Energy, the Experts of the African Union Commission and the Algerian Government for all the efforts expended in the preparation of this Conference, an outcome of the First Conference of the African Union Ministers Responsible for Railway Transport held in April 2006 in Brazzaville, Republic of Congo.

9. Minister MAGHLAOUI recalled the objective of this conference, which is to prepare a common and coherent vision enabling Africa to engage in sustainable economic development and ensure continental integration.

10. Finally, Minister MAGHLAOUI expressed the justified expectations of the Union Member States of this First Session of the Conference and thanked the Algerian Head of Government for having honoured the African transport community by accepting to officiate at the opening ceremony of the conference.

Address by the Secretary-General of the International Civil Aviation Organization

11. The Secretary-General of the International Civil Aviation Organization (ICAO), Dr. Cherif TAIEB, thanked the organisers of this First Session of the Conference of African Ministers of Transport and, in that connection, recalled the importance of air transport in the economic development of Africa.

12. He mentioned the main challenges of the air transport sector, namely, the safety and security of aviation and presented the various initiatives of ICAO, especially the AFRI Plan adopted by the ICAO Council, intended to assist Africa in facing these challenges. In this respect, he invited the Member States to take all measures necessary for its implementation.

13. Finally, the Secretary General of ICAO called on the various financial institutions, to support Africa in its efforts to modernize the continental air transport industry and commended the Algerian authorities for having taken all requisite measures for ensuring the success of this conference.

Address by the African Union Commissioner for Infrastructure and Energy

14. The African Union Commissioner for Infrastructure and Energy, Dr. Bernard ZOBA, thanked the President of the People's Democratic Republic of Algeria, His Excellency Abdelaziz BOUTEFLIKA, the Algerian Government and the Algerian people for their unwavering support of the African Union. He also thanked the Ministers of the Member States who travelled to Algiers, as well as the representatives of African and international organizations.

15. Commissioner Bernard ZOBA recalled the importance of transport infrastructure and services for the economic development of Africa, the achievement of the Millennium

Development Goals and the industrialization of the continent. In that regard, he outlined the critical issues of each mode of transport beset by weak performance, he concluded by recalling the necessity of engaging resolutely in Africa's genuine struggle to put an end to this situation.

16. Commissioner Bernard ZOBA also recalled the importance of the conference particularly for the consideration of all the problems faced by this sector in order to forge a common understanding and ensure the formulation of coherent policies and programmes for the development of infrastructure and related services.

17. In that connection, the Commissioner recalled the main issues, especially operationalization of the Executing Agency of the Yamoussoukro Decision on the liberalization of air transport markets in Africa, updating of the African Maritime Transport Charter, interconnection and interoperability of African rail networks, harmonization of road technical standards and facilitation of transit transport.

18. Furthermore, Commissioner ZOBA paid tribute to the Algerian Minister of Transport, Hon. Mohammed MAGHLAOU and his staff for the work done to ensure the success of the First session of the Conference of African Ministers of Transport.

19. In conclusion, Commissioner ZOBA, whose mandate in the African Union Commission was coming to an end, thanked all the African Ministers of Transport for the support given to him and expressed his wish that the flame ignited together in the transport may continue to burn so that Africa becomes a continent of hopes and opportunities.

Address by the Outgoing Chairperson of the Conference of African Ministers of Transport

20. The outgoing Chairperson of the Conference of African Ministers of Transport, Hon. Emile OUOSSO, Minister of Transport and Civil Aviation of the Republic of Congo, paid tribute to the Algerian authorities for hosting the First Session of Conference of African Ministers of Transport in Algiers "the White".

21. The First Session of the Conference of African Ministers of Transport is the result of the Brazzaville Declaration, which rightly recognized the necessity to ensure optimal management of the transport sector, through the mechanism of the Conference of Ministers.

22. The various key concerns of each mode of transport clearly indicate that the sector needs a strong drive provided by a consistent continental sector policy and integrated continental transport master plan.

23. In the light of the ongoing activities as contained in the various plans of action and of the harmonization aspired for today, the Chairperson of the Conference of African Ministers of Transport has no doubt that the commitment expected from all stakeholders will keep abreast of the expectations of the people of Africa. In this regard, the outgoing Bureau would be available and ready to help.

24. Finally, Minister OUOSSO expressed his gratitude to the Ministers members of the outgoing Bureau of the Conference and the African Union Commissioner for Infrastructure and Energy, Dr. Bernard ZOBA and his experts for the support they

provided during the preparation of the various sub-sector conferences. He also renewed his thanks to the Algerian government for the customary hospitality of Algeria.

Opening Address by the Head of Government of the People's Democratic Republic of Algeria, His Excellency Mr. Abdelaziz BELKHADEM

25. His Excellency Mr. Abdelaziz BELKHADEM, Head of Government of the People's Democratic Republic of Algeria, first welcomed all the delegations for honouring Algiers by their visit. He also commended the efforts deployed by the Commission of the African Union, namely its Commissioner for Infrastructure and Energy, Dr Bernard ZOBA and his experts, as well as the Algerian experts who took an effective part in the preparation of the this conference.

26. The need to interconnect Africa was also clearly expressed by the African Union Commission and also during the launching of the NEPAD programme with a view to finding appropriate solutions for improving the movement of people and goods on the Continent.

27. In that regard, the Head of Government cited the example of his country, Algeria and its efforts to ensure better connectivity and unimpeded movement of people and goods. The Head of Government indicated a number of actions that should be taken by to ensure better participation of Africa in global competition, including the battle against isolation and marginalization through better connectivity of African countries, the sustainable resource mobilization for investment in infrastructure and services, transport safety and security, environmental protection and facilitation of transit transport.

28. Finally, the Head of the Algerian Government said he hoped strategies would be adopted for a sustainable development in the continent and declared officially open the First Session of the Conference of African Ministers of Transport.

IV. PROCEDURAL ISSUES

1. Presentation of the Report of the Outgoing Bureau

29. The outgoing Bureau of the Conference of African Ministers of Transport presented its report which recalled the basis of its creation, namely the need for an overall sector approach, and outlined the various activities that have been carried out since its inauguration in April 2006 in Brazzaville.

30. The Conference of African Ministers of Transport (CAMT) is the central coordination organ of the transport sector. The Bureau elected in Brazzaville for a two (2) year mandate was made up as follows:

Chairman:	Congo (Central Africa)
1 st Vice-Chairman:	Algeria (North Africa)
2 nd Vice-Chairman:	Djibouti (East- Africa)
3 rd Vice-Chairman	South Africa (Southern Africa)
Rapporteur:	Burkina Faso (West-Africa)

31. During that period, a number of activities were initiated including the various ministerial conferences which provided more visibility to the activities of the Union based on its 2004-2007 Strategic Plan and its Priority Infrastructure Program: "Linking Africa".

32. During its tenure of office, the Bureau of CAMT benefited from the support of the African Union Commission which drafted the Rules of Procedure defining the structure, functions and operation of the Conference of African Ministers of Transport.

33. The Bureau of CAMT met on 6 April 2007 in Algiers to consider the draft Rules of Procedure and take note of the operationalisation of the Conference.

34. Throughout the transition period, the Bureau of the Conference played an active role in the preparation and proceedings of the various sub-sector ministerial conferences, namely:

- Second Conference of Ministers responsible for Air Transport, Libreville, Gabon, 15-19 May 2006;
- High-Level Meeting of Presidents and Chief Executive Officers of African Airlines, Tunis, Tunisia, 29-30 May 2006;
- Third conference of Ministers responsible for Railway Transport, Brazzaville, Congo, 10-14 April 2006;
- Professional Conference on Interconnection, Interoperability and Complementarity of African Railway Networks, Johannesburg, South Africa, 19-23 November 2007;
- First Conference of Ministers responsible for Maritime Transport, Abuja, Nigeria, 19-23 February 2007;
- First Conference of Ministers responsible for Road Transport, Durban, South Africa, 15-19 October 2007.

35. All the conferences led to the adoption of key Declarations and Resolutions with Plans of Action.

36. The Conference of African Ministers of Transport benefited from a favourable international environment through various partnerships that are being gradually created in for transport infrastructure development in the continent including the following two major initiatives:

- The Infrastructure Consortium for Africa (ICA), initiated in 2005 by the former Prime Minister of the United Kingdom, H.E. Tony Blair, during the United Kingdom's presidency of the G8 group; and
- The European Union-Africa Partnership for Infrastructure, which was officially launched on 24 October 2007 in Addis Ababa, Ethiopia.

37. The Bureau of the Conference of the African Ministers of Transport expressed its gratitude to all Member States of the Union for their support. It also thanked the African Union Commission for its continuous assistance.

38. The outgoing Bureau reaffirmed the relevant decision by the Ministers of railway transport to set up this coordination organ with a view to ensuring complementarity and efficiency in all modes of transport.

39. Finally, the Bureau urged all Member States to adopt for the Conference, Rules of Procedure that are adequate in order to ensure harmonious operation of the transport sector.

2. Election of the Bureau

40. The Bureau of the conference was elected for the period 2008 – 2010 as follows:

- Chairman: Algeria (North Africa)
- 1st Vice-Chairman: Zimbabwe (Southern Africa)
- 2nd Vice-Chairman: Ethiopia (Eastern Africa)
- 3rd Vice-Chairman: Mali (Western Africa)
- Rapporteur: Gabon (Central Africa)

3. Adoption of the Agenda

41. Prior to the consideration and adoption of the Agenda of the session, the Minister of Transport of the Peoples' Democratic Republic of Algeria, Mr. Mohammed MAGHALOUI, in his capacity as the new Chairman of the Conference of African Ministers of Transport, thanked his colleagues for the confidence bestowed on the new bureau. He reiterated his personal commitment and that of all his colleagues to pursuing the development of transport in Africa.

42. The meeting adopted the following agenda:

I) OPENING CEREMONY

II) PROCEDURAL MATTERS

- Presentation of the report of the outgoing Bureau
- Election of the Bureau
- Adoption of the Agenda and Work Programme

III) WORKING SESSIONS

1. Consideration of the report of the Meeting of Experts,
2. Consideration and adoption of the Ministerial Declaration and Plan of Action,
3. Any other business,
4. Consideration and adoption of the report of the Ministerial meeting,
5. Final Communiqué,
6. Vote of Thanks.

IV) CLOSING OF THE MEETING

V. WORKING SESSIONS

SESSION 1: CONSIDERATION OF THE REPORT OF THE MEETING OF EXPERTS

43. The Ministers considered, in detail and item by item, the issues contained in the report of Experts and made the following observations:

a) Operationalisation of the African union Conference of Ministers responsible for Transport

44. The Ministers considered the Draft Rules of Procedure of the Conference and made amendments taking into account the specific nature of the transport sector. In that regard, they agreed on the holding of one session of the conference every two (2) years, the need for the Bureau to meet frequently, and the creation of four sub-committees each per mode of transport.

45. Following these amendments, the Ministers adopted the Rules of Procedure.

b) State of Transport Development in Africa

46. The Ministers took note of the presentation made by the African union Commission on a document jointly prepared with the United Nations Economic Commission for Africa on a comprehensive overview of the transport sector in Africa.

c) Air Transport

47. The Ministers devoted their attention to the setting up of the Executing Agency of the Yamoussoukro Decision on the liberalization of air transport markets in Africa as well as to the elaboration of a common African position on negotiation of air service agreements between African Union States and those of the European Union.

48. Concerning the setting up of the Executing Agency, the Ministers requested the African Civil Aviation Commission to convene a diplomatic conference with a view to adopting a constitution that takes into account its new functions.

49. In addition, the Ministers requested the African Union Commission to forward to the Member States, the preliminary report on the setting up of the Executing Agency for their observations. At this point, the Minister of Cote d'Ivoire informed the meeting of the offer of his country to host the next conference of Ministers responsible for air transport in Yamoussoukro in celebration of the Tenth Anniversary of the Yamoussoukro Decision. The main objective of the conference would be to evaluate implementation of the Decision.

50. Regarding the common African position on negotiation of air service agreements with the European Union Member States, the Ministers endorsed a proposal of Guidelines for negotiation of air service agreements between AU States and the EC or EU States with non-binding provisions.

51. The Ministers also considered the deliberations of the experts on matters of aviation safety and security as presented by AFCAC and ICAO and endorsed all the related recommendations as contained in the relevant sections of the report of the meeting of experts.

d) Maritime Transport

52. The Ministers underscored the importance of the revision of the African Maritime Transport Charter and emphasized on the need for the draft Charter to take into account issues of safety and security as well as the development of maritime transport.

53. The Ministers accepted, in principle, the draft revised Charter submitted to the Conference and requested the African Union Commission to forward the draft Charter to Member States and other stakeholders and convene another meeting of Ministers for its adoption.

54. The Ministers also raised the problem related to the discharge of toxic waste off the coast of Africa and proposed the development of an appropriate continental legal instrument for the protection of marine environment and biodiversity.

55. The Ministers also called on the African Union Commission to carry out a study on the operating cost of the transport chain.

e) Road Transport

56. The Ministers recommended that:

(i) Member States should:

- give priority to the construction of roads with a view to improving connectivity within community programmes; and
- ensure that road construction projects are presented as components of development and integration projects.

(ii) The AUC Commission should:

- define a comprehensive policy on road safety and environmental issues relating to roads;
- give strong support to Member States in the sourcing of road infrastructure funding;
- consider the possibility of setting-up of an African road transport consultation framework;
- sensitize Member States to become parties and users of international conventions on transport facilitation (for example, TIR,CMR, etc.).

f) Railway Transport

57. The Ministers expressed their appreciation of the cooperation between the African Union and the International Union of Railways (UIC), and took note of the study on the UIC Railway Vision 2025 for Africa. They, however, recalled that the definition of the African vision was the responsibility of all States

58. Finally, the Ministers endorsed the recommendations of the Professional Conference on Interconnection, Interoperability and Complementarity of African railways, held in Johannesburg on 20 and 21 November 2007.

g) Multimodal Transport

59. The Ministers approved the principle of massive participation of Member States of the African Union in the 41st session of the General Assembly of the UN Conference for International Trade Law (UNCITRAL) on the international convention for goods entirely or partially transported by sea, in replacement of the 1978 Hamburg Convention on the transport of goods by sea, to which a great number of countries are parties.

60. The Ministers also noted the need to strengthen technical and financial management of national meteorological services and regional meteorological centres given the mutual interests of meteorology and transport.

h) Financing of Transport Infrastructure Development

61. The Ministers commended President A. WADE's initiative related to the organization of a roundtable on the financing of infrastructure in Africa held in Saly, Portudal, Senegal on 24 January 2008.

62. The Ministers urged the AU Commission to ensure the accomplishment of these major projects.

SESSION 2: CONSIDERATION AND ADOPTION OF THE MINISTERS DECLARATION AND PLAN OF ACTION

63. The Ministers considered the draft Declaration submitted by the Experts and adopted with amendments.

64. The Ministers also considered the Sub-sector draft Plans of Action, submitted by the Experts and adopted them with amendments. The African Union Commission was requested to consolidate these Plans of Action into a single sector Plan of Action.

SESSION 3: ANY OTHER BUSINESS

65. No issue was raised under this agenda item.

SESSION 4: CONSIDERATION AND ADOPTION OF THE REPORT OF THE MINISTERIAL MEETING

66. The Ministers adopted the report of the experts meeting with amendments and their recommendations as the basis of their report. The amendments and recommendations have been incorporated in this report.

SESSION 5: FINAL COMMUNIQUÉ

67. The Ministers adopted a Final Communiqué summing up the main conclusions of their deliberations that were focussed on a system of transport which would be an engine of integration and sustainable development of Africa.

SESSION 6: VOTE OF THANKS

68. The Ministers adopted a vote of thanks to the President of the People's Democratic Republic of Algeria, His Excellency, Mr. Abdelaziz BOUTEFLIKA, to the Government and people of Algeria, for the warm and fraternal welcome as well as for all the measures taken to enable all the Delegations taking part in First Session of the Conference of African Ministers of Transport to have an pleasant and fruitful stay in Algiers.

VI. CLOSURE OF THE CONFERENCE

69. The closing ceremony of First Session of the Conference of African Ministers of Transport was presided over by Minister Mohammed MAGHLAOUI, Chairperson of the Conference of African Ministers of Transport for the period 2008-2010.

70. Minister MAGHLAOUI thanked the delegates for their brilliant contributions as well as sincere and frank cooperation that resulted in successful proceedings.

71. Minister MAGHLAOUI wished a safe return to all the delegations before proceeding with the official closing of the Conference.

EX.CL/432 (XIII)
ANNEX I

ALGIERS DECLARATION

AFRICAN UNION

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**FIRST AFRICAN UNION CONFERENCE
OF MINISTERS RESPONSIBLE
FOR TRANSPORT
21 - 25 APRIL 2008
ALGIERS, ALGERIA**

AU/TPT/MIN/Decl. (I)

ALGIERS DECLARATION

THE ALGIERS DECLARATION: “TRANSPORT, VECTOR OF SUSTAINABLE AFRICAN INTEGRATION AND DEVELOPMENT”, ADOPTED BY THE FIRST SESSION OF THE AFRICAN UNION CONFERENCE OF MINISTERS RESPONSIBLE FOR TRANSPORT

WE, African Ministers of Transport, meeting in Algiers, Peoples Democratic Republic of Algeria, from 24 to 25 April 2008, on the occasion of the First Session of the African Union Conference of Ministers Responsible for Transport, to examine the conditions necessary for a transport service at the service of sustainable development and integration in Africa;

Considering the Constitutive Act of the African Union, adopted on 11 July 2000 in Lomé (Togo), in particular Articles 14, 15 and 16 which entrust the African Union Commission the mission of coordination in the Transport, Communication and Tourism sectors;

Considering the Treaty instituting the African Economic Community, signed in Abuja (Nigeria) in June 1991;

Considering the Decision of the Assembly of Heads of State and Government of July 2001 in Lusaka (Zambia), dealing with the creation of the New Economic Partnership for Africa’s Development (NEPAD) as the framework for Africa’s development;

Considering the Decision of Heads of State and Government of the African Union, meeting in July 2005 in Sirte (Lybia), to include in the Millennium Development Goals (MDGs) the transport targets and indicators adopted in April 2005 in Addis Ababa (Ethiopia) by African Ministers responsible for transport and infrastructure, within the framework of the fight against poverty;

Considering Decision Ex.CL/Dec.294 (IX) of IX session of the Executive Council held in Banjul, during the July 2006 Banjul Assembly (The Gambia), endorsing the Brazzaville Declaration on the creation of the Conference of African Ministers Responsible for Transport, as central coordinating continental organ in matters of policies and strategies in the transport sector;

Considering the challenges arising from globalization and the need for Africa to implement, in a complete and effective manner, the Almaty (Kazakhstan) Programme of Action of 2003, the United Nations’ programme on transport and transit;

Considering the importance and role of infrastructure and transport services in the political, economic and social development as well as the integration of Africa, in a bid to deepen its participation in globalization;

Considering the need for Africa to have a sectoral transport policy capable of ensuring a harmonious operation of all modes of transport;

Considering the relevant international conventions in transport matters, especially in the areas safety and security, as well as the protection of the environment;

Commending the different initiatives of Partners for the development of infrastructure in Africa;

Noting the courageous initiatives of the Regional Economic Communities within the framework of facilitating circulation between Member States;

Concerned by:

1. the low level of development of infrastructures and transport services in Africa;
2. the multiplicity and complexity of administrative procedures in matters of transit between African countries, especially at border-crossings;
3. the low level of implementation of international conventions and regional treaties relating to the facilitation of transport;
4. the increase in the number of accidents in the different modes of transport and their negative economic and social impact;
5. the diversity and disparity in norms and standards, regulations and procedures in the different sub-sectors;
6. the low level of resources allocated to the development and maintenance of transport infrastructures;

Recalling:

1. the leadership role for coordination, harmonization, facilitation and advocacy that falls on the African Union Commission in the realization of transport infrastructures for the development of Africa;
2. the critical role of the Regional Economic Communities in their capacity as pillars of Africa's integration, in the implementation of programmes to develop transport infrastructures;

Reiterating:

1. our firm determination to pool our efforts for the sustainable development of a viable, reliable, efficient and affordable transport system at the service of the economic and social development of Africa and its integration;
2. the urgency to come up with continental and regional strategies for the promotion of transport in the realization of the Millennium Development Goals, especially poverty reduction;

Take the commitment to:

1. give priority to inter-regional and continental integrating programmes, especially those serving landlocked countries;
2. accelerate the facilitation of inter-state transport by harmonising legislations and simplifying transit procedures to improve efficiency and safety in transport exploitation in Africa;
3. strengthen/ put in place structures charged with the management of safety and security in the transport sector;
4. encourage the setting up of regional organizations for the control of safety, security, research, rescue and accident investigations, as means to strengthen state capacities to meet their international obligations;

5. include in all transport programmes a specific component to fight HIV/AIDS and other sexually transmitted diseases;
6. support and strengthen African professional organizations, so as to enable them to fully play their roles;
7. promote the use of information and communication technologies for the development of transport infrastructure and operations;
8. take specific measures to ensure the sustainable financing and appropriate management of transport infrastructures, and create the enabling conditions for national and foreign private investments;
9. ratify and accelerate the implementation of international conventions and regional agreements relating to the facilitation of border transport and transit, safety, security and the protection of the environment;
10. support effective implementation of the regional comprehensive implementation plan for air safety in Africa;

Decide to:

1. include the development of transport infrastructures in a holistic vision through an Integrated Continental Master Plan, based on the policies and programmes of Regional Economic Communities;
2. promote the development of multimodal transport on the continent;
3. facilitate the development and use of meteorological services as a key element of transport;
4. accelerate the modernization and harmonization of the legislation, norms and procedures in the different transport sub-sectors;
5. ensure professionalism in the transport sectors by the creation of centres of excellence for capacity building with regard to transport actors;
6. promote women's access to transport professions;
7. promote cooperation in research and development programmes in transport infrastructure and services in Africa;
8. adopt the conclusions of the Professional Conference on Interconnection and Interoperability and Complementarity of African Railway systems held from 20 to 21 November 2007 in Johannesburg (South Africa);
9. use on a non-binding basis the provisions of the Common External African Position on negotiations of air service agreements with the European Commission and the Member States of the European Union on the basis of the African Union Commission document examined in May 2007 in Addis Ababa during the 3rd Conference of African Union Ministers Responsible for Air Transport;
10. accelerate the elaboration, adoption, and ratification of the African Maritime Transport Charter.

Invite the African Union Commission to take all measures necessary to elaborate a continental policy and Integrated Master Plan for the development of transport in Africa;

Issue a solemn appeal to the United Nations Economic Commission for Africa, the African Development Bank, the World Bank, the European Union, all development and other technical transport partners to support the programme for the development of transport and infrastructure in Africa.

Exhort:

- The Member States of the African Union and Regional Economic Communities to strengthen inter-African and continental cooperation in the transport sector;
- The African Union Commission to submit this Declaration to the next Assembly of Heads of State and Government of the African Union to be held in July 2008 in Sham El-sheikh (Egypt).

Adopt the Plan of Action annexed to this Declaration.

Done in Algiers, 25 April 2008

**EX.CL/432 (XIII)
ANNEX II**

**PLAN OF ACTION
AIR TRANSPORT
2008 – 2012**

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21 – 25 April 2008
Algiers, ALGERIA**

AU/TPT/EXP/PI.Ac. AT (I)

**PLAN OF ACTION
AIR TRANSPORT**

2008 – 2012

I. INTRODUCTION

The Plan of Action adopted in Algiers, Algeria on 25 April 2008 by Ministers of Transport, during their First Session of the Conference organised by the African Union Commission in collaboration with the Government of the People's Democratic Republic of Algeria, was elaborated for the period 2008 to 2012 and complements the one of Addis Ababa whose implementation is ongoing.

The main purpose of this Plan of Action is to define activities that will enable the attainment of African Union objectives, within the framework of air transport development, currently assailed by numerous challenges linked to the exigencies of the industry, notably issues specific to aviation safety and security.

The Plan of Action outlines the main activities identified for the attainment of set objectives, measures of output, the lead and other institutions involved.

The proposals contained in this Plan will provide relevant institutions with a solid base on which to conduct the necessary discussions with different development partners likely to support Africa in its efforts to develop air transport in Africa.

In the implementation of the Plan of Action, the African Union will retain the central role at the continental level.

N°	OBJECTIVES	ACTIVITIES AND ACTIONS	SOURCES OF INDICATORS	LEAD INSTITUTION	INSTITUTIONS INVOLVED	PERIOD
1	Implementation of the Yamoussoukro Decision of 1999					
1.1	Operationalize of the Executing Agency of the Yamoussoukro Decision	<ul style="list-style-type: none"> ▪ Resolution of legal, institutional and financial issues ▪ Seeking of comments and observation from States to improve the study 	<p>Operational documents elaborated</p> <p>Report of the Executing Agency</p>	AUC	AFCAC, RECs, ECA, ADB, NEPAD, Member States	2008-2009
1.2	Put in place competition rules for the African air transport industry and a framework for dispute settlement	<ul style="list-style-type: none"> • Formulation of the studies on harmonisation of competition rules and dispute settlement mechanism • Organisation of the AU Conference for Ministers responsible for air transport for the evaluation of the implementation of the Yamoussoukro Decision 	Reports	AUC	RECs, Monitoring Body of the YD	2008-2009
1.3	Put at the disposal of Member States evaluation criteria for the implementation of the	Elaboration of Guidelines on evaluation criteria for the implementation of the Yamoussoukro Decision	Documents	AUC	Monitoring Body of the YD, Member States	2008-2009

N°	OBJECTIVES	ACTIVITIES AND ACTIONS	SOURCES OF INDICATORS	LEAD INSTITUTION	INSTITUTIONS INVOLVED	PERIOD
	Decision					
1.4	Evaluate the implementation of the Yamoussoukro Decision	Study on the constraints to the implementation of the Yamoussoukro Decision	Study Report	AUC	Monitoring Body, States	2008-2009
1.5	Adopt of revised of AFCAC Constitution	Organisation of Diplomatic Conference	New Constitution	AFCAC	AUC, AFCAC and States	2009
2	II. Common African Civil Aviation Policy					
2.1	Put in place a Common African position for negotiating air service agreements with European Union States	Dissemination to States of the revised document of May 2007	Guidelines	AUC	States	2008
2.2	Develop sustainable transport in Africa	Cooperation with all concerned parties	Report	AUC	RECs, AFCAC, AFRAA, Partners	Permanent
2.3	Put in place a comprehensive African civil aviation policy	<ul style="list-style-type: none"> ▪ Drafting of the common civil aviation policy ▪ Workshops 	Report	AUC	Member States, RECs, AFCAC, AFRAA, and other African stakeholders	2009
3	III. Strengthening civil aviation security and safety in Africa					
3.1	Put in place a coordination mechanism	Elaboration of the coordination mechanism for strengthening of civil aviation security and safety	Report	AUC	States, RECs, AFCAC, AFRAA	2010
3.2	Negotiate with third parties	Negotiation with the	Report	AUC	RECs, AFCAC, AFRAA	2010

N°	OBJECTIVES	ACTIVITIES AND ACTIONS	SOURCES OF INDICATORS	LEAD INSTITUTION	INSTITUTIONS INVOLVED	PERIOD
	concerned, the development of non aeronautic sources of income	European Union for transit of tax free goods coming from Africa			AFRAA	
3.3	Ratify the international legal instruments dealing with security	Sensitisation of concerned states for membership	Report	AFCAC	AUC, RECs, AFCAC	2010
3.4	Improve the search and rescue operation services in Africa	Assist States in enhancing their Search and Rescue services	Report	AFCAC	RECs, AFCAC, States, AFRAA, Partners	2008
3.5	Support ACIP	Encourage effective implementation of AFI air navigation Plan and participation of States and RECs in activities related to ACIP	Report	AFCAC	RECs, AFCAC, AFRAA, ECA, ADB, NEPAD and Stakeholders	2008-2012
3.6	Strengthen training pool	Human resource development taking advantage of the existing intra-African training capacity	Reports, Protocols, etc.	AFCAC	RECs, AFCAC, AFRAA, ECA, ADB, NEPAD and Stakeholders	2012
4	IV. Strengthening inter African and international cooperation					
4.1	Increase the number of development partners (financial and technical)	Strengthening of international cooperation	Reports, Protocols, etc.	AUC	CER, ICAO, ATAG, etc.	2008-2010

EX.CL/432 (XIII)
ANNEX III

PLAN OF ACTION
MARITIME TRANSPORT
2008 – 2010

AFRICAN UNION

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**FIRST SESSION OF THE CONFERENCE
OF AFRICAN MINISTERS OF TRANSPORT
21– 25 APRIL 2008
ALGIERS, ALGERIA**

AU/TPT/EXP/PI.Ac. MT(I)

**PLAN OF ACTION
MARITIME TRANSPORT**

2008-2010

INTRODUCTION

The Plan of Action adopted in Abuja, Nigeria, on 23 February 2007 by the Ministers responsible for Maritime Transport at their First Conference organized by the African Union covers the period 2008 – 2010.

This Plan of Action constitutes a road map primarily aimed at outlining the global objectives pursued in the bid to improve African maritime transport, the major activities or actions identified for attaining the objectives, the measures of output, the lead and other institutions responsible for the implementation of the activities detailed in the Action Plan.

Some of the Action items have been implemented by the responsible parties. The Plan of Action was reviewed and updated in the Conference of Ministers Responsible for Transport held in Algiers, Algeria in 21 – 25 April 2008.

At present, the financial implications of the Plan of Action cannot be meaningfully estimated. However, such estimates will be carried out prior to implementation of each of the activities programmed.

Moreover, the Plan of Action constitutes a negotiation document vis-à-vis development partners likely to support Africa in its efforts at developing maritime transport in the continent.

The African Union Commission will remain the key coordination organ for facilitating implementation of the Plan of Action at the continental level.

N ^o	OBJECTIVES	ACTIONS	MEASURES OF OUTPUT	LEAD INSTITUTION	RESPONSIBILITY	DURATION
1	V. Institutional and Legal Measures					
1.1	Update the 1994 Charter	Review, adoption and ratification of the African Maritime Charter and Notification to AU.	Charter enters into force	AU	RECs, States, MOWCA, IMO	2008
1.2	Enhance and strengthen national capacities to ratify and implement international conventions	Provide the necessary technical assistance to maritime administrations in collaboration with International Maritime Organisation (IMO), ILO (maritime labour), and other specialized organizations such as International Organization for Hydrography.	Conventions ratified; legislations updated and implemented	AU	RECs, States, IMO, MAWCA, UASC,	2008
1.3	Ensure better coordination of continental endeavours in the maritime transport sub-sector	Feasibility study for the creation of a continental coordination structure for the maritime transport sub-sector Creation of a maritime transport coordination unit within the African Union Commission	Decision of the Assembly of the Union	AU	RECs, States, MOWCA, UASC	2008

N ^o	OBJECTIVES	ACTIONS	MEASURES OF OUTPUT	LEAD INSTITUTION	RESPONSIBILITY	DURATION
2	VI. Capacity Building					
2.1	Develop Africa's training capacities in the area of maritime and port administration	Audit and creation of regional centres for technical training and maritime science	Report	AU, RECs	States, PAPC, IMO, ILO, OMAOC	2008
		Study of the adequacy Africa's training capacities	Report	AU, RECs	States, PAPC, IMO, ILO	2008
		Promotion and strengthening of partnerships with international maritime training institutions	Agreements signed and implemented	States	AU, RECs, PAPC, IMO, ILO	2008
		Harmonisation of training programmes	Framework adopted and implemented	AU, RECs	States, PAPC, IMO, ILO	2009
		Provision of relevant equipment and resources for the training centres	Centre equipped	States	AU, RECs, IMO	2009
		Education and training of African personnel in the field of maritime transport and maritime services.	Number trained	States	AU, RECs, IMO	2007
		Study of the profiles of maritime administrations	Report	AU, RECs	States, IMO, PAPC, AU, RECs, PAPC, IMO, ILO	2008

N ^o	OBJECTIVES	ACTIONS	MEASURES OF OUTPUT	LEAD INSTITUTION	RESPONSIBILITY	DURATION
		Increase the number of African seafarers	Number of African seafarers	States		2010
2.2	Enhance the capacities and promote integration of women in the maritime sector	Encouragement and enhancement of access to maritime training for women Strengthening the role of women in the maritime sector	Number of women trained Number of women employed Number of female entrepreneurs in the sector.	States States	AU, RECs, MOWCA, PAPC, IMO, ILO	2008
2.3	Combat STDs, HIV/AIDS	Sensitise maritime transport and ports personnel through education	Reduced prevalence rates	States	AU, RECs, IMO, MOWCA, WHO, PAPC, IMO	2008
2.4	Develop partnerships between Governments and maritime and port sector organisations	Promotion of performance contracts between the State and maritime and port sector organisations	Contracts executed	States	AU, RECs, MOWCA, PAPC, UASC, Private Operators	2008
2.5	Strengthen capacity building for coastal, flag state and port state control implementation.	Training of personnel and strengthening of institutions to achieve effective discharge of coastal, flag and port state responsibilities	Number of surveyors trained	States	AU, IMO, RECs, PSC, MoUs	2008

N ^o	OBJECTIVES	ACTIONS	MEASURES OF OUTPUT	LEAD INSTITUTION	RESPONSIBILITY	DURATION
3.3	Ensure the security of ships, ports/ship interface.	<p>Implementation and compliance with Chapters V and XI-2 of the 1974 SOLAS Convention and the ISPS Code and SUA convention and measures for combating piracy at national level</p> <p>Development and implementation of measures to ensure supply chain security</p>	<p>Security plan established</p> <p>Security plan established</p>	<p>States</p> <p>“</p>	<p>AU, PAPC, RECs, IMO</p> <p>”</p>	<p>2008</p> <p>2008</p>
3.4	Safety of domestic ferries and non-convention vessels	Adoption and implementation of the IMO Safety regulations on non-convention ships, 2007 including fishing vessels.	Number of countries revising maritime legislations	States	AU, IMO, RECs, PAPC, ICS (International Chamber of Shipping)	2010
3.5	Promote the human element in maritime safety and security and the logistic chain	<p>Implement a strategy in respect of the role of the human element in maritime transport safety and security</p> <p>Implement the directives concerning passenger transport in inland waterways.</p> <p>Implement the directives concerning maritime cabotage</p>	<p>Reports</p> <p>Reports</p>	<p>States</p> <p>States</p>	<p>AU, RECs, PAPC</p> <p>AU, RECs, PAPC</p>	<p>2007</p> <p>2007</p>
3.6	Protect the marine	Appraisal study of eco-systems	Impact study	States	AU, RECs, IMO	2009

N ^o	OBJECTIVES	ACTIONS	MEASURES OF OUTPUT	LEAD INSTITUTION	RESPONSIBILITY	DURATION
	<p>environment</p> <p>Prevention of dumping of waste and radio-active waste.</p>	<p>threatened by maritime transport</p> <p>Enhancement of marine and coastal environment protection in all maritime transport operations</p> <p>Establishment of contingency plans to prevent spills</p> <p>Ballast water management and prevention of pollution by dangerous and hazardous substance (HNS Convention).</p> <p>Ratification of all international convention on anti-dumping and enacted of domestic legislation thereof.</p>	<p>report</p> <p>Report</p> <p>No of contingency plans developed.</p> <p>Report</p> <p>No of conventions ratified and domestic legislation enacted.</p>	<p>States</p> <p>States</p> <p>States</p>	<p>AU, RECs, IMO</p> <p>AU, RECs, IMO</p> <p>AU, RECs, IMO</p>	<p>2009</p> <p>2008</p> <p>2010</p>
3.7	Development of capacities for preventing	Enhance national and regional capacities with a view to	Increase in number of	States	AU, RECs, IMO	2008

N ^o	OBJECTIVES	ACTIONS	MEASURES OF OUTPUT	LEAD INSTITUTION	RESPONSIBILITY	DURATION
	and combating pollution, and implement related international conventions	<p>preventing, controlling and combating pollution particularly through training, exchange of skills and knowledge programmes</p> <p>Revision and improvement of national legislations</p> <p>Fight against the dumping of toxic waste along African coasts.</p>	<p>ratifications of international conventions</p> <p>National maritime legislation enacted Number of national contingency plans developed</p> <p>Secure a legal framework to protect biodiversity and the marine environment.</p>	States	AU, RECs, IMO	2008
3.8	Provide the means to strengthen legal capacities of national maritime authorities	<p>Development, revision and updating of national maritime legislations and their enabling texts</p> <p>Access to funding and human resources</p>	<p>Legislation updated and in force in all countries Moyens humains et matériels et financiers disponibles</p>	States	AU, RECs, IMO, MOWCA	2009

N ^o	OBJECTIVES	ACTIONS	MEASURES OF OUTPUT	LEAD INSTITUTION	RESPONSIBILITY	DURATION
3.9	Create regional coast guard networks (North, West, Central, East and South) and surveillance facilities, cooperation and coordination in the field of search and rescue.	Adoption and implementation of IMO/MOWCA resolution Establish regional search and rescue at centres	Regional and sub-regional rescue centre operational	AU, RECs AU, RECs	States, IMO States, IMO	2007-2009 2007-2008
3.10	Establishment of Global Maritime Distress System for Security (GMDSS).	Establishment of national, regional search and rescue centers, provision of adequate human resources (maritime police) and equipment.	No of centres established	States, IMO, AU	States, IMO	
4	Enhancement of Port Performance					
4.1	Improve port management and operations	Creation of a data base on port and maritime activities as well as hydrography Promotion of measures to improve port management and operations particularly audits, management control, handling and conservation Harmonisation of restructuring programmes through encouragement of private-public partnerships	Reports Port performance indicators Guidelines available	States States States	AU, PAPC, RECs AU, PAPC, RECs AU, PAPC, RECs	2009 2009 2009

N ^o	OBJECTIVES	ACTIONS	MEASURES OF OUTPUT	LEAD INSTITUTION	RESPONSIBILITY	DURATION
4.2	Strengthen facilitation of international and regional maritime traffic.	<p>Adoption of the 1965 FAL Convention and the 1991 amendments to the IMO Convention</p> <p>Adoption of the electronic data system (EDIMAR system) with a view to improving movement of ships, seamen and goods, and reducing the number of documents and dwell time of ships in ports</p> <p>Creation of one-stop shops</p>	<p>Establishment of FAL National Committees and reduction of ships dwell time</p>	<p>States</p> <p>”</p> <p>”</p>	<p>AU, PAPC, RECs, MOWCA, IMO, UASC</p> <p>”</p> <p>”</p>	<p>2009</p> <p>”</p> <p>“</p>
4.3	Improve maritime transport management systems	<p>Creation of data banks for maritime transport management</p> <p>Establishment of observatories</p>	Database available	States	AU, RECs, MOWCA, IMO, UASC	2009
4.4	Promote quality maritime transport	Adoption and use of improved technical standards	Standards applied	States	AU, RECs, IMO, UASC	2009
4.5	Organise the activities of maritime transport auxiliary services	<p>Enact appropriate and harmonised legislations for African countries</p> <p>Promotion of African National</p>	<p>Legislations applied</p> <p>Rights of</p>	<p>States</p> <p>States</p>	<p>AU, RECs, UASC, MOWCA, IMO</p> <p>AU, RECs,</p>	<p>2008-2009</p> <p>2008-2009</p>

N ^o	OBJECTIVES	ACTIONS	MEASURES OF OUTPUT	LEAD INSTITUTION	RESPONSIBILITY	DURATION
		Operators in maritime professions and maritime transport auxiliaries	auxiliaries defined and applied		UASC, MOWCA, IMO	
4.6	Improve the competitiveness of African ports	Identification of the causes of non-competitiveness of African ports	Report	States	AU, RECs, MOWAC, PAPC	2008
		Acquisition of adequate equipment and infrastructure	Equipment operational	States	AU, RECs, MOWAC, PAPC	2010
		Identification and implementation of key development projects	Projects executed	States	AU, RECs, MOWAC, PAPC	2009
		Reduction in port transit charges	Percentage of reduction	States		2009
5	Strengthening of inter-African and International Cooperation					
5.1	Facilitate access to and from the sea and freedom of transit for landlocked countries	Implement the facilitation agreements (Almaty Programme of Action, various other regional programmes etc...)	National and regional facilitation committees	AU, RECs	States, PAPC, MOWCA, UASC	2007/10
		Improvement of maritime transport infrastructure	Work accomplished	States	States, PAPC, MOWCA	2007/10

N ^o	OBJECTIVES	ACTIONS	MEASURES OF OUTPUT	LEAD INSTITUTION	RESPONSIBILITY	DURATION
		<p>Development of dry ports and maritime logistics centres</p> <p>Use of navigable internal waterways and, eventually, building of navigable canals to link up landlocked countries</p> <p>Creation of railway, road and oil pipeline development corridors</p> <p>Improvement of corridors performance</p> <p>Implementation by different States of inter-State conventions on transit transport</p> <p>Conduct demand analysis for alternative and or additional seaports.</p>	<p>“</p> <p>Work accomplished</p> <p>Work accomplished</p> <p>Facilitation measuring approach</p> <p>Facilitation measuring approach</p> <p>Report of study.</p>	<p>“</p> <p>States</p> <p>AU, RECs</p> <p>AU, RECs</p> <p>AU, RECs</p>	<p>“</p> <p>States, PAPC, MOWCA</p> <p>States, PAPC, MOWCA</p> <p>States, PAPC, MOWCA</p> <p>States, PAPC, MOWCA</p>	<p>“</p> <p>2007/10</p> <p>2007/10</p> <p>2007/10</p> <p>2007/10</p>
5.2	Reinforce communication and information sharing and database among merchant marine administrations/ maritime administrations.	Establishment of information networks among African maritime authorities	Network functional	States	AU, RECs, PAPC, MOWCA, IMO	2008

N ^o	OBJECTIVES	ACTIONS	MEASURES OF OUTPUT	LEAD INSTITUTION	RESPONSIBILITY	DURATION
5.3	Improve maritime transport conditions and protect the interest of shippers	<p>Enhance the creation of shippers' councils</p> <p>Organisation of skills up-grading workshops on maritime transport integrated logistics chain for African shippers</p> <p>Defence and protection of the interests of shippers in international conventions (UNCITRAL Convention on International Carriage of Goods Partially or Wholly by Sea)</p> <p>Control costs in the transport chain.</p>	<p>Council created</p> <p>Workshops and seminars organised</p> <p>Report</p> <p>Reduction of ports access, freight and transit costs</p>	<p>States</p> <p>States</p> <p>States</p> <p>States</p>	<p>AU, RECs, UASC</p> <p>AU, RECs, UASC</p> <p>AU, RECs, UASC</p> <p>UA,CER,MOWCA , UASC</p>	<p>2008</p> <p>2007</p> <p>2007</p>
5.4	<p>Promote cooperation among maritime transport service providers (Shipping lines)</p> <p>Promote joint venture in maritime transport services.</p>	<p>Promotion of African companies</p> <p>Development of joint venture companies (joint ventures) in the area of maritime transport through shipping consortia and "slot chartering"</p>	Volume of goods transported by African shipping companies	States	AU, ADB, RECs, UASC	2008
6	Facilitation and Financing of Maritime Transport and Ports					
6.1	Promote acquisition of vessels	Enhance the development of funding instruments for vessels acquisition	Tonnage belonging to and used by African countries	States	AU, ADB, RECs	2010

N ^o	OBJECTIVES	ACTIONS	MEASURES OF OUTPUT	LEAD INSTITUTION	RESPONSIBILITY	DURATION
6.2	Facilitate and encourage the creation of African ship registers	Development of a legal and appropriate regulatory environment for ships registration	Registers established	AU	RECs, States, MOWCA, IMO	2008
6.3	Promote and foster mobilisation of financial resources for maritime transport	Appraisal of States disengagement policies and impact on maritime transport Facilitation of funding for integrating maritime transport projects	Appraisal report Number of financing obtained	AU AU	RECs, ADB, States, MOWCA, PAPC ADB, RECs, States, Development Partners, African Private Operators	2008 2009
6.4	Improve bunkering services	Creation of regional bunkering centres/development of offshore logistics support hubs	Regional centres operational	RECs	AU, States, PAPC	2010
7	Promote Development of Maritime Transport Equipment (Ship Building, Repair and Manufacture of Equipment)					
7.1	Promote the development and/or strengthening of ship building and repair yards	Identification and support to ship building and repair yards Development of and support to shipyards	Data base Reports	States States	AU, RECs, MOWCA AU, RECs, MOWCA	2009 2009

**EX.CL/432 (XIII)
ANNEX IV**

**PLAN OF ACTION
RAILWAY TRANSPORT**

2008 – 2010

AFRICAN UNION

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21– 25 APRIL 2008
ALGIERS, ALGERIA**

AU/TPT/EXP/PI.Ac. FT (I)

**PLAN OF ACTION
RAILWAY TRANSPORT**

2008-2010

INTRODUCTION

The Plan of Action adopted on 14 April 2006 in Brazzaville, Republic of Congo by the first Conference of African Ministers responsible for Railway Transport, organized by the African Union, was elaborated for the period 2006 – 2008.

After considering its implementation status up to 2008, the First Session of the Conference of African Ministers of Transport, meeting from 24 to 25 April 2008 in Algiers (People's democratic republic of Algeria) updated the Plan of Action for the period 2008-2010.

The updated Plan of Action is a road map whose main purpose is to define overall targets to be attained in the context of railway transport development in Africa as well as the main activities or actions identified for reaching these targets, the indicators of progress, the lead agencies as well as the institutions involved in the implementation of the activities.

The Plan of Action constitutes a basic document for negotiation with the various development partners ready to support Africa in its efforts to develop railway transport.

The African Union Commission remains the coordinating organ at the continental level for facilitating the implementation of this plan.

No.	Objectives	Activities and Actions	Verification Sources	Leading Institutions	Involved Institutions	Time frame
A	A) Policy and Strategy in Railway Transports					
A.1	Draw up a continental policy for railway transport	Drafting of policy guidelines of the railway transports in Africa	Study report	AU	ADB ECA NEPAD UAR STATES	2008-2009
A.2	Draw up a master plan for the development of infrastructures	<ul style="list-style-type: none"> Identify projects of regional and national infrastructures and set up priorities of implementation. Studying up railway interconnection fund interoperability forms. Defining inter model coordination standards. Assessing and defining funding needs 	Study report	AU	ADB ECA AUC RECs NEPAD STATES	2008-2009
A.3	Update the African railway network master plan	Identifying the priority projects of interconnection per REC and between them. Regulating repetitive techniques	Study report	AU	ECA AUC, RECs	2008-2009
A.4	Develop regional multimodal transport activities	<ul style="list-style-type: none"> Managing major centers for freight inter-models transit. Managing dry ports. 	Study report	AU	AUC, ECA RECs	2008-2010
A.5	Develop of ICTs within the railway sub-sector	<ul style="list-style-type: none"> Drawing up policies aiming at a bigger exploitation of NTIC for upgrading the trade management and financial cost-effectiveness Create database on the management of networks in REC's and UAR for monitoring the 	Study report	AU	AUC RECs ECA STATES	2009-2010

No.	Objectives	Activities and Actions	Verification Sources	Leading Institutions	Involved Institutions	Time frame
		railways sub-sector				
A.6	Set up an information management system	Implementing monitoring, prospective and analyzing tools.	Report	STATES RECs	AUC	2008-2009
A.7	Improve of the security and safety in railway transports	Implementing modern technologies for securing the railway traffic in the event of major railways accident	Study report	STATES	AU AUC RECs	2008-2009
A.8	Develop railway industries	Carrying out studies for the creation of railway industries and manufactures appropriate to the needs of the African market.	Study report	STATES	AUC	
A.9	Take into account the environmental impact of the railway transport system	Performing environmental impact studies of railway transport. Ensuring environment-friendly operations.	Study report	STATES	AUC	2008-2010
B	<u>Management systems</u>					
B.1	Draw up an African guide for restructuring railway companies	Assessing the restructuring and privatization process on the economic, financial, technical and social levels.	Assessment report and guide	AU	RECs, AUC	2008-2009
B.2	Elaborate a follow-up mechanism for African railway activities	<ul style="list-style-type: none"> • Elaborate policies aiming to promote the use of modern management tools of personnel for improving personnel productivity • Set up a database for the exchange of experiences • Encourage the exchange of information for better management of railways companies • Set up network of exchange of 		AUC	AU RECs	2008-2009

No.	Objectives	Activities and Actions	Verification Sources	Leading Institutions	Involved Institutions	Time frame
		systems of management and information (website)				
C.	<u>Capacity-building of human resources and expertise management</u>					
C.1	Assess training capacities in the railways sub-sector	<ul style="list-style-type: none"> • Drawing up a program for the restoration of training schools and centers according to the market needs. • Rebuilding African resources for training skills in the railway area 	Study report	AU	STATES AUC, RECs	2008-2009
C.2	Promote the role of women in railway activities in Africa	Promoting the access of women to the railway trades.	Increasing of the share of women within the different railway trades	STATES	AUC	2008-2010
C.3	Fight against HIV/AIDS and STDs within the railway sub-sector	<ul style="list-style-type: none"> • Ensuring the protection of the railway agents, users and neighbors • Raise awareness among users through information and education for changing behaviours 	Reducing the HIV/AIDS rate propagation within the railway transports	AU	AUC WHO STATES	2008-2009
C.4	Utilise African Experts in railway transport	<ul style="list-style-type: none"> • More Involvement of African experts in drawing up different sector policies and strategies and performing technical and economic 	Reports	STATES	AU AUC RECs	2008-2008

No.	Objectives	Activities and Actions	Verification Sources	Leading Institutions	Involved Institutions	Time frame
		feasibility study of the railway sub-sector. • Prioritizing the African Experts in the assessment of biddings.				
<u>D</u>	<u>Financing of railway transport</u>					
D.1	Resource mobilization for railway infrastructures	• Setting up of mechanisms for the creation of investment funds of railway and studying different options for its financing • Raising awareness among donors to increase intervention means in favour of the program • Promoting good governance of States to attract private funds.		STATES	AU RECs Donors	2008-2010
D.2	Resource mobilization to finance operations	Mobilization of different continental initiatives		States	AU, REC, Donors	2008-2010
<u>E</u>	<u>Coordination</u>					
E.1	Follow-up and evaluation of implementation of railway activities	Setting up of a working group to follow-up and evaluate the implementation of railway activities	Activity Reports	AU	AUC, RECs States	2008-2008
E.2	Strengthening of coordination between the AU, RECs and AUC	Allowing the specialized African institutions to coordinate their actions		AU		2008-2009
<u>F</u>	<u>Conception and updating of databases</u>					
F.1	Setting up of a railway database	Conceive the settlement of a database. Supply the railway actors and all those involved in this activity with the relevant information. Making available all the elements for		AUC	RECs STATES	2008-2010

No.	Objectives	Activities and Actions	Verification Sources	Leading Institutions	Involved Institutions	Time frame
		measuring and comparing the performance of the networks and sharing management experiences.				
G	VIII. International cooperation in railway sub-sector					
G.1	Strengthening international cooperation	Increasing the number of partners in development (Financial and technical)		AU States	RECs AUC	2008-2009

EX.CL/432 (XIII)
ANNEX V

PLAN OF ACTION
ROAD TRANSPORT
(2008-2012)

AFRICAN UNION

الاتحاد الأفريقي



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**FIRST SESSION OF THE CONFERENCE
OF AFRICAN MINISTERS OF TRANSPORT
25 APRIL 2008
ALGIERS, ALGERIA**

AU/TPT/MIN/PI.Ac RT (I)

**PLAN OF ACTION
ROAD TRANSPORT
(2008-2012)**

**PLAN OF ACTION
ROAD TRANSPORT**

INTRODUCTION

The Action Plan revised and adopted in Durban, Republic of South Africa, on 19 October 2007 by the Ministers responsible for Road Transport during their First Conference organised by the African Union, was elaborated for the period 2008-2010.

This Plan of Action, whose main objective is to define the overall targets to be achieved within the framework of improving road transport in Africa, is a Roadmap containing all the major activities or actions identified for achieving the set objectives, indicators of progress, lead institutions as well as other competent entities in the implementation of the outlined activities.

This Plan of Action was reviewed and updated at the First Session of the Conference of African Ministers of Transport held from 21 –to 25 April 2008 in Algiers, Algeria.

In its current form, the financial assessment of the Action Plan cannot be ascertained. However, in the course of implementation, a preliminary assessment will be carried out for each planned action.

The African Union Commission remains the coordinating and monitoring organ at the continental level for facilitating the implementation of the Plan of Action.

In addition, the African Union Commission intends to set up ad-hoc committees composed of experts from Regional Economic Communities and specialized institutions.

This Plan of Action covers the period 2008-2012. A mid-term review of may be carried out in 2 years time.

N°	Objectives	Activities and actions	Sources of indicators	Lead institution	Institutions Involved	Period
1	Development of road infrastructures					
1.1	Sub-sector strategy, Pilot Plan for the development of road infrastructures	Study of continental pilot plan	Report	AU	RECs, States	2008-2010
1.2	Improve connectivity of African road networks	Promote projects and programmes of construction, rehabilitation and maintenance of inter-state roads by encouraging the involvement of the private sectors Increase national connections	Report Road statistics	AU, States States	RECs, States	2008-2010
2	Standards of road infrastructures					
2.1	African continental standards of road infrastructure	Harmonization of standards of road infrastructures in Africa	Reports	AU	RECs, States	2008-2010
2.2	Establish an institutional regulatory mechanism	Encourage Member States to establish regulatory authorities	Reports	RECs, States	AU	2008-2012
2.3	Perform Road Safety audits Integrate road safety audits in road projects	Conduct road safety audits before and during project execution	Text in force	States	AU, RECs	2008-2010
3	Harmonization of facilitation of road transport in Africa					
3.1	Facilitate inter-state transit and transport	Harmonize documents and administrative and customs transit procedures between African states	Reports	RECs	AU, States, MOWCA, CCCER	2008-2010
		Harmonization of customs controls	Report	RECs	States, AU, CCCER	2008-2009

3.2	Strengthen the capacities of African road operators	Harmonization of the conditions of exercise of the profession of road transport operators	Reports	RECs	AU, RECs	2009-2010
		Elaboration of capacity-building programmes for professional operators	Reports	States	AU, RECs, MOWCA	2008-2010
3.3	Assess inter-State road transport	Setting up of observatories and corridor management committees	Reports	RECs	MOWCA, AU, States	2008-2010
			Report	RECs	AU, States, MOWCA	2008-2010
3.4	Encourage Member States to accede to international conventions on the facilitation of transport	Organizing workshop: raising awareness among States and transporters	Report	RECs	AU, States, MOWCA	2008-2010
4.	Improvement of road safety					
4.1	Reduction of the number and seriousness of road accidents	Setting up/reinforcement of awareness raising programmes among drivers, motorists and dissemination of good practices	Reports	States	AU, RECs, ECA	2008-2010
4.2	Setting up of road security programmes and raising awareness among youth on road safety problems	Elaborating/reinforcing and implementing school programmes on road safety	Reports	States	AU, RECs, ECA, SSATP	2008-2010
		Sensitise States on the need to build roads that comply with road safety standards				2008-2012
		Building or developing roads that comply with road safety standards				2008-2012

5.	Environmental protection					
4.3	Improve information on the state of road safety	Setting up of databases and information systems	Publications	States	AU, RECs, ECA, SSATP	2008-2010
4.4	Ensure better management of road safety	Establishment/strengthening of road management bodies	Decisions statements, reports and statistical data	States	AU, RECs, ECA	2009-2010
4.5	Improve motorists' behaviour.	Improve the enforcement of national laws and regulations on road security	Reports	RECs	AU, RECs, States	2008-2010
4.6	Ensure better harmonisation of road safety	Setting up of regional policies on road safety in Regional Economic Communities	Reports	States, RECs	AU, ECA	2008-2010
		Ratification and implementation of international conventions and treaties on road safety	Ratified texts	States	AU, RECs, ECA	2008, 2010
4.7	Develop African expertise	Setting up of regional training centres	Report	RECs	AU, States	2008-2010
5.1	Reduce the negative impact of road transport on the environment.	Elaboration of regulations and standards at the national level. Carry out sensitisation campaigns on environmental issues concerning the sub-sector	Publications	AU	RECs, States	2008-2010
5.2	Harmonizing assessment criteria of environmental impacts	Elaboration of continental environmental guidelines for this sub-sector	Report	AU	REC, States, SSATP	2009
5.3	Take measures minimise	Promotion of measures encouraging	Reports	States	AU, RECs	2008-2010

	energy wastage in the road transport field	energy conservation in order to guarantee availability of alternative energy sources				
6.	Fight against infectious diseases					
6.1	Prevention of, and fight against STDs and HIV/AIDS	Dissemination of good practises in the fight against HIV/AIDS and STD	Reports	RECs, CCCER	AU, States	2008-20210
		Heightening awareness among motorists through information, education in order to change behaviours	Available programmes	States	AU, RECs	2008-2010
7	Capacity-building					
7.1	Develop African capacities in the field of road transport	Study of African training capacities corresponding to satisfy the needs of the road sub-sector	Reports	AU	RECs, States	2009
		Harmonization of training programmes on road skills	Reports	AU	RECs, States	2009
		Strengthening of continuing education in skills relating to the road sub-sector	Reports	States	AU, RECs	Continuous
7.2	Build the capacities and promote the integration of women in the road sub-sector	Encouraging and promoting women's access in training programmes relating to the road sub-sector	Reports	States	AU, RECs	Continuous
7.3	Improve the road transport management system	Setting up of road management databases	Reports	States	AU, RECs, SSATP	2008-2010
8.	Intra-African and international Cooperation					
8.1	Reinforcing communication	Setting up of an information network	Reports	RECs,	AU, States	2008-2010

	and information between transport administrations	between road administrations and the other modes of transport		CCER		
8.2	Develop capacities of management and planning in the road sub-sector	Promotion and reinforcement of partnerships with international training institutions for road skills	Reports	AU	RECs, ECA; States	2008-2010
8.3	Facilitate and guarantee the transit transport in landlocked countries	Implementation of facilitation agreements (Almaty Action Programmes, regional agreements)	Reports	States	AU, RECs, ECA, MOWCA	2008-2010
		Development/improvement of corridors of development and logistical platforms (dry-ports)	Reports	RECs	AU, ECA, States, MOWCA	2008-2010
8.4	Developing the capacities of training and management of road security	Strengthening of partnerships with international institutions dedicated to road safety training	Report	States	AU, RECs	2008-2009
9	Financing and Management of Road Infrastructures					
9.1	Ensure better mobilisation of financial resources for the road sub-sector	Dissemination of information and reports on various infrastructure financing initiatives	Publications	AU	RECs, AfDB, ICA, States	
9.2	Cover road maintenance needs through sustainable financial resources	Identifying the weaknesses and consolidation of 2 nd Generation Road Funds	Report and Legislation	States	AU, RECs, SSATP	2008-2009
9.3	Increase road management effectiveness	Setting up of autonomous road management structures	Report and legislation	States, RECs	AU, REC, SSATP	2008-2009
10	Continental coordination of the road sub-sector					

10.1	Ensure better coordination of the continental action in the road sub-sector	Improvement of the African Commission's means of action in the coordination of the road sub-sector (infrastructure and transport services)	AU Decision	AU	RECs, States, CCCER	Continuous
		Harmonization study of road policies and strategies for the strengthening of the road sub-sector in Africa	Reports	AU	RECs, States, CCCER	2008
		Setting up of institutional framework for consultation in the road sub-sector	Report	AU	RECs, States, CCCER	2008-2009

**EX.CL/432 (XIII)
ANNEX VI**

**GUIDELINES FOR THE NEGOTIATION OF AIR SERVICE
AGREEMENTS BETWEEN AFRICAN UNION STATES
AND THE EUROPEAN COMMISSION/EUROPEAN
UNION STATES**

AFRICAN UNION

الاتحاد الأفريقي



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**FIRST SESSION OF THE CONFERENCE OF
AFRICAN MINISTERS OF TRANSPORT
21 – 25 APRIL 2008
ALGIERS, ALGERIA**

**GUIDELINES FOR THE NEGOTIATION OF
AIR SERVICES AGREEMENTS BETWEEN
AFRICAN UNION STATES AND EC/EUROPEAN
UNION STATES**

**GUIDELINES FOR THE NEGOTIATION OF AIR SERVICES
AGREEMENTS BETWEEN AFRICAN UNION STATES AND
EC/EUROPEAN UNION STATES**

We, the African Ministers responsible for Transport;

Having regard to the Constitutive Act of the African Union;

Having regard to the Decision Relating to the Implementation of the Yamoussoukro Declaration concerning the Liberalization of Access to Air Transport Markets in Africa signed on the 14th day of November 1999 and which entered into force on 12th August 2000;

Considering the Convention on international civil aviation signed at Chicago on 07 December 1944 and its annexes;

Having regard to the Rulings of the European Court of Justice (ECJ) in November 2002 to the effect that the traditional designation clause in Air Services Agreements based on the principle of national ownership and control, discriminates among Europe Community Carriers and is contrary to Article 43 of the European Commission Treaty;

**MINDFUL OF THE IMPLICATIONS OF THE RULINGS OF THE EUROPEAN COURT OF JUSTICE ON
AIR TRANSPORT IN AFRICA AND THEREFORE RECOGNIZING THE NEED TO DEVELOP A
COMMON AFRICAN POSITION;**

Mindful of the fact that international aviation relations between member States and European Union States have traditionally been governed by bilateral air service agreements, their annexes and other related bilateral or multilateral agreements;

Noting the recommendations of the meeting of the African Ministers responsible for Air Transport held in Sun City, South African from 18 to 19 May 2005 calling for a common African position relating to the European Union Community clause and Negotiating mandate;

Noting the different levels of air transport development in Africa including the proposals of renegotiations sent by some member States of European Union to African States and proposals on block to block negotiations sent to European Union, AFCAC and the RECs in order to conclude to Air Services Agreements, it is necessary to adopt interim provisions in order to achieve a common response to the European Union Community clause and Negotiating mandate;

Recalling the efforts undertaken in the various sub-regions to consolidate, privatize and liberalize air transport services;

Considering the need to harmonize air transport policies in order to eliminate non-physical barriers that hamper the sustainable development of air transport services in Africa;

Recalling the Consolidated Conclusions and the Recommendations adopted at the 5th World Air Transport Conference organised by ICAO, held in Montreal, Canada, in March 2003;

Recognizing the need to ensure the maintenance of the existing bilateral balance and put in place adequate safeguards which will sustain effective participation of African States and carriers in International Air Transport;

Acting in accordance with the provisions of the Abuja Treaty;

HEREBY ADOPT THE FOLLOWING GUIDELINES.

SECTION: 1 DEFINITIONS

For the purpose of these Guidelines the following expressions shall mean:

“Abuja Treaty”- The Treaty Establishing the African Economic Community adopted at Abuja, Nigeria on the 3rd day of June 1991 and which entered into force on 12 May 1994;

“AFCAC”- African Civil Aviation Commission;

“AFRAA”- African Airlines Association;

“Air Services” and “Airlines” have the meaning respectively assigned to them in Article 96 of the Chicago Convention on International Civil Aviation dated 7th December 1944.

“AU”- African Union;

“AU Clause”- African Union Clauses for inclusion in Air Service Agreements with European Union States

“Chicago Convention ” - Convention on International Civil Aviation done at Chicago, 7 December 1944.

“Common African Position” – the Guidelines, AU Clauses and the recommendations adopted at the Meeting of Ministers of Air Transport at Sun City, South Africa, 18th-19th May 2005;

“Constitutive Act”- the Instrument establishing the African Union done at Lomé, 11th, July 2000;

“**EC**” -European Commission;

“**ECJ Judgment**” - Judgments of the Court of Justice; of the European Communities in the cases: C – 466/98, C – 467/98, C – 468/98, C – 469/98, C – 471/98, C – 472/98, C – 475/98, and C – 476/98.

“**EU**”- European Union

“**EU Clauses**”- Provisions contained in the ECJ Ruling N° 847/2004

“**Group**”- includes the Regional Economic Communities, Sub-Regional Group and or a number of Member States;

“**IATA** ”- International Air Transport Association;

“**ICAO**”- the International Civil Aviation Organization;

“**Guidelines**”- This Guidelines and any annex therein

“**Member States** ”– State Parties to the Yamoussoukro Decision and such other African Countries which though not a party to the Abuja Treaty or the Yamoussoukro Decision, has declared in writing its intention to be bound by this Guideline;

“**RECs**” -The Regional Economic Communities of Africa.

SECTION 2: Scope of Application

- 2.1. These guidelines establish the modalities for negotiating bilateral air services agreements between Member States and EU States in respect of provisions relating to designation, authorization, suspension and revocation.
- 2.2. These guidelines should have precedence over any bilateral and multilateral Air Services agreements between Member States and the EU States.

SECTION 3: Objectives

- 3.1. Member States should ensure that all existing bilateral or multilateral Air Service agreements with EU States that do not conform to the common African position and provisions of the Yamoussoukro Decision should be amended or replaced by new agreements that are wholly compatible to the African position.
- 3.2. Member States should ensure that in their relation with third countries and conducting negotiation that the defence and promotion of the common interest of African countries and Airlines should be the basis for such negotiations and external relations.

SECTION 4: Negotiations

- 4.1. A Member State may enter into negotiations with an EU State in respect of a new Air Services Agreement or the modification of an existing Air Services Agreement, provided that:
 - a) the conditions and requirements contained in this Guidelines and the AU Clauses annexed to this Guidelines as Appendix 1 is included in such negotiations; and
 - b) the notification procedure contained in Section 5 herein is complied with.
- 4.2. A Member State may invite the AU and/ or such Regional Economic Communities it may require, to participate as an observer in such negotiations;
- 4.3. If Member States wish to negotiate as a Group Air Services Agreement with the EU and/or an EU State, they should in their negotiations implement the Guidelines and the AU Clauses.
- 4.4. Member States should encourage, facilitate and allow co-operative and commercial arrangements such as blocked-space, code sharing franchising or wet leasing between and among African carriers. They should endeavour to create a conducive environment that will facilitate such cooperation;
- 4.5. Member States should not grant operating licenses or permit commercial arrangements which have the intention of creating virtual airlines that act as vehicles for foreign Airlines to access African markets for which they have no underlying traffic rights.
- 4.6. Member States, in their bilateral Air Services agreements with the EU States, should ensure that the rights and obligations of the licensing EU State as well as the designating EU State under the bilateral Air Services agreement are clearly defined.

SECTION 5: Notification

- 5.1. Where a Member State intends to enter into a bilateral Air Service agreement with the EU and/or an individual EU State, it should notify the appropriate Regional Economic Community, AFCAC and AU of its intentions in writing.
- 5.2. The information should be transmitted at least one calendar month before formal negotiations are scheduled to commence with the EU/or an EU State. If, due to exceptional circumstances formal negotiations are scheduled at less than one month's notice, the Member State should transmit the information as soon as possible.
- 5.3. If, within 15 working days of receipt of the notification referred to in Section 5.1. the AU, AFCAC and the relevant Regional Economic Community conclude that

the negotiations are likely to undermine the common African position, it should inform the Member State which should act accordingly.

- 5.4. The AU, AFCAC and relevant Regional Economic Community may make other comments to the Member State which has notified its intention to enter into negotiations in accordance with Section 5.1. The Member State should take such comments into account as far as possible in the course of negotiations.

SECTION 6: Conclusion of Agreements

- 6.1. Upon signature of an Air Services agreement, the Member State concerned should notify the AU, AFCAC and the relevant Regional Economic Community of the outcome of the negotiations together with any relevant documentation.
- 6.2. Where the negotiations have resulted in an Air Services agreement, which does not incorporate the AU clauses adopted in these guidelines, the relevant provisions of the Abuja Treaty should apply to that Member State.

SECTION 7: Confidentiality

In notifying the AU, AFCAC or relevant Regional Economic Community of negotiations and their outcomes as envisaged in Section 5 and 6, Member States should clearly inform the AU, AFCAC or relevant Regional Economic Community if any information therein is to be considered confidential and whether it can be shared with other Member States.

SECTION 8: Distribution system

The ICAO code of conduct should be the basis for the regulation of distribution systems

SECTION 9: Environmental Protection

- 9.1. Member States should cooperate, support and work closely with international organizations for the protection of the environment while resisting unilateral measures that have adverse economic impact on Member States.
- 9.2. Member States should support ICAO as the appropriate global forum for developing environmental standards and recommended practices for addressing environmental issues.

SECTION 10: Ground handling

Infrastructural constraints and scales of operation may impose impediments on the ability of Member States to liberalize ground handling arrangements. Bilateral Air Services agreements should be flexible to accommodate special measures to meet the interest and needs of Member States.

SECTION 11: Competition Rules

- 11.1. Member States should support a policy, which encourages fair and regulated competition that enhances co-operation.
- 11.2. Member States should support the development of internationally agreed rules and principles while resisting the extra-territorial applicability to national or internal competition rules that may have adverse effects on African airlines.

SECTION 12: Designation and authorization

12.1. A Member State may refuse, revoke, suspend or limit the authorisations or permissions of an air carrier designated by an European union Member State where:

12.1.1 the Member State demonstrates that, by exercising traffic rights under this Agreement on a route that includes a point in another European Union Member State, the air carrier would be circumventing restrictions on traffic rights imposed by a bilateral agreement between the (name of the third country) and that other European Member State;

Or

12.1.2 the air carrier holds an Air Operators Certificate issued by an European Member State and there is no bilateral air services agreement between the Member State and that European Union Member State, and traffic rights to that European Member State have been denied to the air carrier designated by the (name of the third country)

12.2. Effective regulatory control should be maintained by the AU State and EU State responsible for issuing the operating license.

SECTION 13: Traffic Rights

- 13.1. The two parties agree to ensure that the acceptance of the EU designation clause should not directly or indirectly affect the agreed frequency and capacity indicated in the existing bilateral air services agreements.
- 13.2. Member States may where appropriate and on a non-reciprocal basis, request for the granting of fifth and seventh freedoms on intra-European or on intra-African routes.

SECTION 14: Tariffs

Member States should support the maintenance of the existing IATA interlining system which enhances co-operation amongst airlines.

SECTION 15: Safety

- 15.1. Member States should ensure in their relations with the EU and/or an EU State that the EU State that is responsible for Safety and Security is clearly identified and should obtain the necessary assurances from the designating EU State and the licensing EU State on their obligations to comply with the provisions of the Chicago Convention and its Annexes.
- 15.2. Where an EU State exercises the right to inspect an aircraft operating to an EU destination under the laws of the EU or an EU State, Member States should have a reciprocal right to inspect and take appropriate measures to ensure compliance with Safety Standards of the concerned Member State.

SECTION 16: Security

- 16.1. Member States should ensure in their relations with the EU and/or an EU State that the EU State that is responsible for Security is clearly identified and should obtain the necessary assurances from the designating EU State and the licensing State on their obligations to comply with the provisions of the Chicago Convention and its Annexes.
- 16.2. Where an EU State exercises the right to inspect an aircraft operating to an EU destination under the laws of the EU or an EU State, Member States should have a reciprocal right to inspect and take appropriate measures to ensure compliance with Security Standards of the concerned Member State.

SECTION 17: Settlement of Disputes

- 17.1. Member States should ensure that a dispute settlement mechanism is adequately provided for in the Bilateral Air Services Agreements.
- 17.2. The dispute settlement mechanism should specify modalities for settling disputes between the Member State and the designating State and/or the licensing State.

SECTION 18: Authority and Structure

- 18.1. The Regional Economic Groups should ensure adherence to the conditions and guidelines of the common African position by their Member States. They should ensure uniformity and consistency in the regional level.
- 18.2. The AU should be responsible for the continent-wide adherence and implementation of the Common African position. It should ensure uniformity and consistency in the adherence of the Guidelines within the Regional Economic Communities and the Member States.
- 18.3. The AU should establish a committee of experts consisting of experts from Member States, AFCAC, AFRAA and the Regional Economic Communities, to

assist and advise it in the area of air transport relations with third countries. The committee of experts should hold exploratory discussions with the EU and where necessary an individual EU State and advise the AU on the outcome of such discussions and its recommendations on appropriate action. The AU shall establish the duties, responsibilities, procedures and funding for the working for the committee.

SECTION 19: Cooperation and Coordination

The Member States should cooperate and coordinate with the AU, AFCAC and AFRAA and the regional Economic Communities in order to achieve harmonized and uniform application of the Common Africa Position.

SECTION 20: Review of the Guidelines and AU Clauses

These Guidelines and the AU Clauses may be reviewed in line with the changing trends in air transportation.

SECTION 21: Entry into force

- 21.1. These Guidelines should enter into force thirty (30) days after the date of endorsement by the Assembly of Heads of State and Government at which these Guidelines were submitted.
- 21.2. In respect of African States that are not parties to the Abuja Treaty, these Guidelines should enter into force 30 days after the date on which such States has communicated their declaration of, intention to make use of these Guidelines in writing to the AU, which should in turn transmit the declaration to Member States

Done at Algiers this Twenty-Fifth _____ Day of April _____ 2008

Annex I

Draft AU Clauses for Inclusion In Air Service Agreements With European Union Member States

Definitions

For the purpose of this Agreement, unless Otherwise stated:

1. “**Decision**” means the Decision Relating to the Implementation of the Yamoussoukro Declaration concerning the Liberalization of Access to Air Transport Markets in Africa signed at Yamoussoukro on 14th day of November 1999 and adopted at Lomé on 11th July 2000 by the Assembly of Heads of States of the African Union/African Economic Community.
2. “State Party” means an African State signatory to the Abuja Treaty or to the Yamoussoukro Decision and such other African Country which though not a party to the Abuja Treaty or the Yamoussoukro Decision, has declared in writing its intention to be bound by these Guidelines.

Designation and Authorization

1. *On the receipt of a designation by one Contracting Party made in accordance with the provisions of [paragraph 1] of the present Article and on application from the designated airlines in the form and manner prescribed by the aeronautical authorities of the other contracting party should grant, with minimum delay the appropriate operating Authorization, provided:*
 - (a) In the case of an airline designated by [African State]
 - (i) the airline is legally established in a territory of a State Party in accordance with the regulations applicable in that State;
 - (ii) have its headquarters, central administration and principal place of business physically located in the State Party concerned; and
 - (iii) the airline meets other Eligibility Criteria set forth in Article 6.9 of the Decision.
 - (b) In the case of airline designated by the (EU Country):
 - (i) it is established in the territory of the (EU Country) under the Treaty establishing the European Community and has a valid Operating License in accordance with European Community law;
 - (ii) effective regulatory control of the airline is exercised and maintained by the European Community Member State responsible for issuing its Air Operator's Certificate and the relevant Aeronautical Authority is clearly identified in the designation; and

- (iii) the airline is owned directly or through majority ownership by the European Community member States and/or nationals of European Community Member States , and is effectively controlled by such States and/or such national.

IX. Revocation or Suspension of Authorization

1. *Each Contracting Party should have the right to revoke an operating authorization, suspend the exercise of the rights granted in the present Agreement to an airline designated by the other Contracting Party, or impose such conditions on the exercise of these rights as it may deem necessary where:*

(a) In the case of an airline designated by [African State]:

- (i) the airline is not established in the territory of a State Party; or
- (ii) does not have its headquarters, central administration and principal place of business physically located in the State Party concerned; or
- (iii) has failed to meet the eligibility criteria set forth in Article 6.9 of the Decision.

(b) In the case of airline designated by the (EU State):

- (i) the airline is not established in the territory of the (EU State) under the Treaty establishing the European Community and has not a valid Operating License in accordance with European Community law;
- (ii) effective regulatory control of the airline is not exercised or not maintained by the European Union State responsible for issuing its Air Operator's Certificate, or the relevant Aeronautical Authority is not clearly identified in the designation; or
- (iii) the airline is not owned directly or through majority ownership by the European Union States and/or nationals of European Community Member States, or is not at all times effectively controlled by such states and or such nationals.

Aviation Safety

1. Where [EU State] has designated an airline whose regulatory control is exercised and maintained by another member State of the European Union, the rights of the [African State] under this Article should apply equally in respect of the adoption, exercise or maintenance of safety standards by that member State of the European Union and in respect of the operating authorization of that airline.
2. Where [African State] has designated an airline whose regulatory control is exercised and maintained by another State Party, the rights of the [EU State] under this Article should apply equally in respect of the adoption, exercise or maintenance of safety standards by that State Party and in respect of the operating authorization of that airline.

EX.CL/432 (XIII)
ANNEX VII

**RULES OF PROCEDURE OF THE CONFERENCE
OF AFRICAN MINISTERS RESPONSIBLE
FOR TRANSPORT**

AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

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**FIRST SESSION OF THE AFRICAN UNION
CONFERENCE OF MINISTERS
RESPONSIBLE FOR TRANSPORT
21 – 25 April, 2008
Algiers, ALGERIA**

AU/TPT/EXP/2 (I) Rev.3

**RULES OF PROCEDURE OF THE CONFERENCE OF
AFRICAN MINISTERS RESPONSIBLE
FOR TRANSPORT**

April 2008

GENERAL PROVISIONS

The Conference of African Ministers Responsible for Transport,

Considering the Constitutive Act of the African Union, in particular the provisions of Article 12 thereof;

ADOPTS THE FOLLOWING RULES OF PROCEDURE:

Article One

A) Definitions

The following meanings shall apply in these Rules of Procedure:

“Chairperson” shall mean the Chairperson of the Conference, unless otherwise stated;

“Commission”, the Secretariat of the Union;

“Conference” shall mean the Conference of African Ministers Responsible for Transport;

“Constitutive Act” shall mean the Constitutive Act of the African Union,

“Executive Council” shall mean the Executive Council of the African Union;

“Member State”, shall mean a Member State of the African Union;

“REC” shall mean the Regional Economic Communities;

“Sub-Sectoral Committees” shall mean Committees of the different modes of transport;

“Union”, shall mean the African Union established by the Constitutive Act;

“Vice Chairpersons”, shall mean the Vice Chairpersons of the Conference, unless otherwise stated.

CHAPTER I
THE CONFERENCE OF AFRICAN MINISTERS RESPONSIBLE
FOR TRANSPORT

SECTION I
OBJECTIVE, COMPOSITION AND FUNCTIONS

B) Article 2

Objective

The Conference of African Ministers Responsible for Transport shall be charged with the continental coordination of sectoral policies and strategies in matters of transport.

Article 3
Composition

1. The Conference of African Ministers Responsible for Transport shall be composed of all Ministers of Member States of the African Union responsible for Transport or their duly accredited representatives.
2. Considering the specificity of each transport sub-sector, the Conference of African Ministers Responsible for Transport shall be composed of four (4) Sub-Sectoral Committees according to the modes of transport, namely:
 - a) the Air Transport Sub-Sectoral Committee;
 - b) The Rail Transport Sub-Sectoral Committee;
 - c) The Maritime, Ports and Inland waterways Sub-Sectoral Committee;
and
 - d) The Road Transport Sub-Sectoral Committee.
3. The Conference may create ad-hoc Working Groups as it deems necessary. The said Working Groups shall consist of Experts of Member States of the African Union, selected on the basis of their competence in the transport sector. The Working Groups shall be constituted on the basis of the issues to be addressed. They shall work under the coordination of the African Union Commission. They shall cease to exist upon the completion of their mission.

Article 4
C) Functions

1. The Conference shall:
 - a) Ensure the respect of Union principles;
 - b) Ensure the promotion and progressive realization of the goals of the Union;
 - c) Define the priorities of the sector in matters of policies, strategies and programmes at continental level;

- d) Follow-up and promote cooperation between the Union and Regional Economic Communities;
- e) Deliberate and rule on proposals submitted for its consideration;
- f) Consider, adopt and monitor the implementation of the plans of action of the Sub-Sectoral Committees;
- g) Prepare sectoral integrating transport projects and programmes in Africa and submit them to the decision-making organs of the African Union such as the Executive Council and the Assembly of Heads of State and Government for consideration and decision;
- h) Cooperate closely with the Commission with regard to the organization and management of meetings and ensure the implementation, follow-up and evaluation of decisions taken in the transport sector by decision-making organs of the Union;
- i) Ensure the coordination and harmonization of transport projects and programmes of the Union;
- j) Present reports and briefings to the Executive Council, either on its own initiative or on the request of the Executive Council, with regard to the execution of projects and programmes in the transport sector;
- k) Carry out any other tasks in the transport sector that may be assigned to it by the decision-making organs of the Union in application of the provisions of the Constitutive Act and/or other relevant legal instruments of the African Union.

SECTION II **VENUE AND SESSIONS**

D) Article 5 **Venue**

1. Sessions of the Conference of African Ministers Responsible for Transport shall be held at the Headquarters of the Union, except where a Member State offers to host the Conference in its country.
2. Where the Conference of African Ministers responsible for Transport is held in a Member State on the invitation of the latter, the Member State shall bear all additional costs incurred by the Commission.
3. In conformity with Article 5, paragraph 2 of the Rules of Procedure of the Union Assembly, the Member States that offer to host the sessions of the Ministers responsible for transport shall not be under sanctions and shall meet a certain number of criteria fixed in advance, adopted by the Conference, especially appropriate logistical facilities and a favourable political atmosphere.
4. When two (2) or more Member States offer to host the same session, the Conference of Ministers Responsible for Transport shall decide, by consensus or failing that by a simple majority, on the venue of its session.
5. When a Member State which offered to host a session of the African Ministers Responsible for Transport can not do so, the session shall take

place at the Headquarters of the African Union, unless Member States receive and accept a new offer to host the session.

Article 6

Sessions

1. The Conference shall meet in ordinary session at least once every two years. It shall be preceded by a preparatory meeting of Experts.
2. The Conference shall meet in extraordinary session upon the request of the Chairperson of the Conference or any other Member State. An extraordinary session may be convened with the approval of two-thirds majority of present Member States of the Union.
3. The Chairperson of the African Union Commission shall communicate to all the Member States the request to convene the extraordinary session within fourteen (14) days after receiving the request, and shall invite them to inform him/her of their decision in writing in a specified time limit.
4. If at the expiry of the specified time limit, the required majority of two-thirds (2/3) is not reached, the Chairperson of the African Union Commission shall inform all the Member States that the requested extraordinary session shall not take place.
5. Extraordinary sessions shall take place at the headquarters of the Union or in any other Member State upon its invitation.
6. When two (2) or more Member States offer to host an extraordinary session, Member States shall decide by simple majority on the venue.

Article 7

Agenda of Sessions

1. The Conference shall adopt its agenda at the opening of each ordinary session. The Chairperson of the African Union Commission shall communicate to the Member States the draft agenda of ordinary sessions at least thirty (30) days before the day of the session.
2. The Conference shall adopt its agenda at the opening of each extraordinary session. The Chairperson of the African Union Commission shall communicate to the Member States the draft agenda of the extraordinary sessions at least fifteen (15) days before the day of the session. The agenda of an extraordinary session shall only include the item(s) proposed for consideration in the request to convene the said extraordinary session.
3. The notice for the convening of a session of the Conference shall be served at least one (1) month before the proposed date of the session. However, in the event of an extraordinary session, this time limit may be reduced to fifteen (15) days. The African Union Commission shall take all measures to comply with

the procedure for the convening of Conference sessions (notes verbales, official invitation letters)

Article 8 Public Session and Closed Session

All sessions of the Conference of Ministers Responsible for Transport are public. However, there may be closed sessions, upon request by simple majority of Member States.

Article 9 Opening and Closing Ceremonies

1. During the opening ceremony of the Conference of African Ministers Responsible for Transport, the following personalities shall be authorized to make statements:

- a) The Head of State or the Minister Responsible for Transport or any other competent authority of the host country;
- b) The Chairperson of the African Union Commission;
- c) The Executive Secretary of the United Nations Economic Commission for Africa (ECA), or his/her representative;
- d) The African Union Commissioner for Infrastructure and Energy;
- e) The Chairperson of the Conference.

2. During the closing ceremony of the Conference of the African Ministers Responsible for Transport, the following personalities shall be authorized to make statements:

- a) The Head of State or the Minister Responsible for Transport of the host country or any other competent authority of the host country;
- b) The personality designated to read the vote of thanks.

3. The Bureau of the Conference of African Ministers Responsible for Transport may invite any other personality to make a statement during the opening or closing ceremonies.

Article 10 Election and Attributions of the Bureau

1. The Conference shall elect a Chairperson for a period of two (2) years on a rotational basis and in accordance with the agreed criteria. The Chairperson shall be assisted by the other members of the Bureau, namely: three (3) Vice Chairpersons and one (1) Rapporteur elected on the basis of the agreed geographical distribution following appropriate consultations.

2. The Chairperson shall:

- a) Convene the sessions of the Conference;
- b) Make the opening and closing addresses;

- c) Present the reports of sessions for approval;
 - d) Preside over the proceedings and voting procedures;
 - e) If need be, put to vote the issues under discussion and declare the results of the voting procedure;
 - f) Rule on points of order;
 - g) Sum up the discussions and declare them closed.
3. The Chairperson shall ensure order and the smooth running of the Conference.
4. In the event of impediment or vacancy of the post of the Chairperson, the First Vice Chairperson shall assume the interim.
5. According to a distribution agreed with the Chairperson, the Vice Chairpersons shall:
 - a) Assist the Chairperson in the exercise of his functions;
 - b) Replace the Chairperson in the event of impediment or absence;
 - c) Ensure that the quorum is attained;
 - d) Establish and maintain a list of participants who wish to take the floor;
 - e) Supervise any voting and draw a report thereon; and
 - f) Replace each other in the event of impediment or absence.
6. The functions of the Rapporteur shall be as follows:
 - a) Ensure that each member of the Conference obtains the working documents;
 - b) Supervise the staff in charge of drafting reports, minutes and draft recommendations;
 - c) Ensure that the proposals and reports considered and amended are corrected accordingly;
 - d) Present the draft reports and recommendations to be adopted as well as the summary of the decisions made in the form of a ministerial declaration;
 - e) Prepare a report at the end of each meeting of the Conference of African Ministers Responsible for Transport.
7. The Bureau of the Conference shall be responsible for coordinating the activities of the Conference in the period between sessions. In that capacity, it shall be convened by its Chairperson at least twice (2) a year.

Article 11 **Quorum**

The quorum for each session of the Conference of African Ministers Responsible for Transport shall be two-thirds of the Member States.

Article 12
Participation in Sessions

1. The Ministers Responsible for Transport of the Member States of the African Union shall personally take part in the sessions of the Conference. In the event of impediment, they shall be represented by duly accredited representatives.
2. Regional Economic Communities, Specialized Institutions, Professional Organizations and Partners may take part in the discussions of the Conference to which they are invited upon the authorization of the Chairperson, but shall have no voting rights.
3. Regional Economic Communities, Specialized Institutions, Professional Organizations and Partners may be authorized by the Chairperson of the Conference to make a presentation on issues concerning them, provided that the documents are communicated in advance through the Chairperson of the Commission.
4. Regional Economic Communities, Specialized Institutions, Professional Organizations and partners may be invited by the Conference of African Ministers Responsible for Transport to attend closed sessions dealing with issues concerning them.
5. The Chairperson of the Conference may give the floor to the Regional Economic Communities and Specialized Institutions and Professional Organizations to enable them to answer the questions addressed to them by Member States.
6. The Conference of African Ministers Responsible for Transport may invite personalities to attend its sessions.

Article 13
Working Languages

The working languages of the Conference of African Ministers Responsible for Transport shall be those of the African Union, namely: English, Arabic, French, and Portuguese.

E) CHAPTER II
DECISION-MAKING PROCEDURES

Article 14
Required Majority

1. The Conference shall make its decisions by consensus or, failing that, by a majority of two-thirds of the voting Member States present.

2. The decisions on procedural issues shall be made by a simple majority of voting Member States.
3. The decisions to determine if an issue is procedural or not are also made by a simple majority of Member States with voting rights.
4. Abstentions by the voting Member States shall not prevent the Conference from making decisions that require a consensus.

Article 15 **Categorization of decisions**

1. The decisions of the Conference shall be made as follows:
 - a) Recommendations: they shall be considered by the Executive Council with a view to submitting them to the Assembly of the Union for the relevant decisions. They shall become binding following a decision of the Conference.
 - b) Declarations, resolutions, opinions, etc.: they shall not be binding and are intended for policy purposes and for harmonizing the opinions of the Member States.
 - c) Administrative decisions: they shall bear on the implementation of the rules of procedures, the designation of the Bureau members, the adoption of the schedule of work or the request for legal advice.
2. At each meeting of the Conference, the Chairperson of the Conference shall present a report on the implementation of previous decisions.

Article 16 **Points of Order**

1. During the discussions on any issue, any Member State may present a point of order. The Chairperson, in conformity with the Rules of Procedure, shall take a decision on the said point of order.
2. The Member state concerned may appeal the decision of the Chairperson. The appeal shall be immediately put to vote. The decision on this issue shall be taken by a simple majority.
3. The Member State concerned shall not in its intervention deal with the substance of the item being discussed.

Article 17 **Deliberations**

1. During deliberations, the Chairperson shall give the floor in the order in which the speakers have indicated their intention to speak. No delegate shall take the floor without the approval of the Chairperson.

2. The Chairperson may, during the deliberations:
 - a) read out the list of registered speakers and declare such list closed;
 - b) call to order any speaker whose intervention departs from the item under discussion;
 - c) give a delegate the right of reply when, in his/her opinion, an intervention made after the closure of the list of speakers justifies such right of reply;
 - d) limit speaking time for each delegate independently of the nature of the item under discussion.

Article 18 Adjournment of Deliberations

During discussions on an issue, any Member State can call for the adjournment of the discussions. In addition to the proposer of the motion to adjourn, a Member State can take the floor to speak in favour of the motion, and another against the motion. Immediately after, the Chairperson puts the motion to the vote.

Article 19 Closing of Deliberations

When an issue has been sufficiently discussed, any Member State can request the closing of discussions on the issue. In addition to the proposer of the motion to close, a Member State can take the floor to speak in favour of the motion, and another to speak against. The Chairperson shall, immediately after, put the motion to the vote.

Article 20 Suspension or Adjournment of Meetings

During the course of a debate on any item, any Member State can propose the suspension or adjournment of the meeting. No debate shall be allowed on such motions, which shall be immediately put to the vote by the Chairperson.

Article 21 Order of Procedural Motions

The following motions shall have precedence, in the order indicated, over all proposals and other motions before the meeting:

- a) Adjournment of deliberations on the issue under discussion;
- b) Closing of deliberations on the issue under discussion;
- c) Suspension of the session; and
- d) Adjournment of the session.

Article 22 Voting Right

1. Each Member State shall have one vote.

2. The Member States affected by the application of sanctions under Article 23 of the Constitutive Act shall not have the right to vote.

Article 23
Vote on Decisions

After the closing of discussions, the Chairperson shall immediately put the decisions as well as the related amendments to the vote. The vote shall only be interrupted by a point of order concerning the way in which the said vote should take place.

SECTION III
FINAL PROVISIONS

Article 24
Implementation

If necessary, the Conference of African Ministers Responsible for Transport may use the provisions of the Executive Council's Rules of Procedure to decide on any issues that are not addressed by these Rules of Procedure.

Article 25
Adoption and Amendments

The Executive Council is the competent organ to adopt these Rules of Procedure. Furthermore, the Executive Council may, on advice of the Conference of African Ministers Responsible for Transport, amend the present Rules of Procedure.

Article 26
Entry into Force

These Rules of Procedure shall enter into force upon adoption by the Executive Council.

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