

ORGANIZATION OF  
AFRICAN UNITY

SECRETARIAT  
P. O. Box 3243

ADDIS ABABA

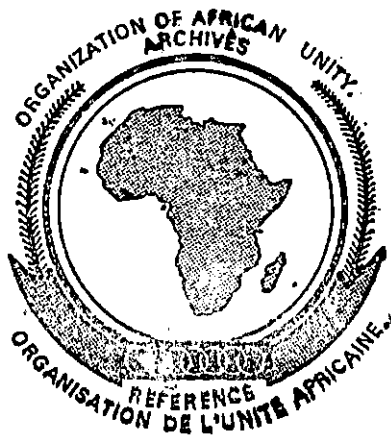
ORGANISATION DE L'UNITE  
AFRICAINNE

SECRETARIAT  
B. P. 3243

COUNCIL OF MINISTERS  
Twelfth Ordinary Session  
Addis Ababa - February 1969

CM/260

THE AFRICAN CIVIL AVIATION COMMISSION



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1. Article II paragraph 2 (b) of the Charter of the Organization of African Unity stipulates that in order to advance the purposes of the OAU the Member States shall coordinate and harmonize their general policies, inter alia, in "economic cooperation, including transport and communications". In conformity with this, the First Ordinary Session of the Assembly of Heads of State and Government meeting in Cairo in July 1964 passed a resolution which had the element of the first major factor toward the establishment of an African Civil Aviation Organ. The resolution, AHG/Res.20(I), established the Transport and Communications Commission of the OAU with a view to "drawing up plans and coordinating action for Telecommunications and Postal Services as well as for Air, Land, and Maritime Transport". Whereas, albeit circumstance leading up to it, the First Session of the Transport and Communications Commission concentrated mainly on telecommunications and postal matters it nevertheless adopted a resolution for the establishment of a Bureau of Transport in the General Secretariat. However remote it may seem here again lies an element pointing to the possibility of an African Civil Aviation Organ.
2. Consequently, the OAU General Secretariat took steps both to stimulate and associate itself with activities pertaining to transport in Africa. Thus the OAU participated as an observer in the second major factor in the evolution of an African Civil Aviation Organ. This was the African Air Transport Conference convened jointly by the Economic Commission for Africa and the International Civil Aviation Organization and held in Addis Ababa in November 1964. Twenty-six member States of the OAU attended this Conference.
3. One of the main items of the agenda of this Conference, and one with a direct relevance to the establishment of an African Civil Aviation Organ, was the item entitled Study of Air Transport and Action Required to Develop Air Transport in Africa. As indicated in previous reports of the General Secretariat, topics discussed under this item included the following:

- study of air transport requirements
- development action by African airlines
- establishment of small new airlines
- establishment of major international airlines in the sub-region absorbing existing national air lines.

The Conference realized the necessity of cooperation among African Governments regarding all these matters and adopted a recommendation calling for the establishment of an African Civil Aviation Organ. This was the Recommendation officially known as Recommendation No. 3 and is attached to this report as Annex I.

4. Consultations were immediately undertaken. The President of the Council of ICAO visited the General Secretariat of the OAU and discussed with the Administrative Secretary General and the assistant Secretary-General in charge of Economic and Social Affairs, including Transport and Communications, the provisions embodied in Recommendation No. 3. Thereupon, an agreement was reached that the ICAO should proceed to prepare a draft Constitution and Rules of Procedure of the proposed African Civil Aviation Organ.

5. Moreover, the Seventh Session of the ECA in February 1965 endorsed the report of the African Air Transport Conference and called upon the ECA Secretariat to convene a conference jointly with ICAO, and in consultation with the OAU, to establish an African Civil Aviation Organ. Subsequently, the ECA Secretariat engaged a consultant to prepare a draft Constitution and Rules of Procedure of the proposed organ. The ECA Secretariat communicated this undertaking to the ICAO and further suggested that the ECA and the ICAO should exchange their drafts and then make available both drafts to the OAU Secretariat so that a draft text agreed upon by the three Organizations, OAU, ECA, ICAO, could be circulated to the African States.

6. Meanwhile, the ICAO prepared a draft Constitution and Rules of Procedure and circulated to Member States of the OAU and then sent copies to the OAU and ECA Secretariats. This procedure was not welcomed by the OAU and ECA Secretariats. Nevertheless, the OAU Secretariat studied the ICAO draft and communicated its views to the ECA Secretariat. Following, the senior officials of the OAU and the ECA embarked upon an extensive

examination of the ICAO draft of the Constitution and Rules of Procedure. After many session of consultations and exchange of views the OAU and ECA Secretariats produced an alternative draft taking full advantage of ICAO draft. The basic deviation of the OAU/ECA draft from that of the ICAO draft was, in the final analysis, on matters concerning the relationship of the proposed organ to the three Organizations - OAU, ECA, ICAO. The OAU/ECA draft stressed the role of the OAU and the ECA in the administrative and financial aspects while limiting that of the ICAO to one of technical assistance.

7. The guiding principles of Recommendation No. 3 in fact justified the OAU/ECA amendment. Again, as indicated in the previous OAU Secretariat reports on this subject, the summary of the discussions which led to the adoption of Recommendation No. 3 was as follows:

"The Conference gave careful consideration to methods by which cooperation between African Governments could best be arranged. All delegates agreed that such cooperation would be essential for the orderly development of African Air Transport and that it would be necessary for ministers responsible for Civil Aviation or their representatives to meet regularly within the framework of the OAU. For this purpose it was felt that it would be necessary to establish a permanent Civil Aviation Organ.

It was pointed out, however, that the establishment of such an Organ was a rather political matter and that the Organization of African Unity had already set up a Transport and Communications Commission with terms of reference including Air Transport. The Conference, therefore, adopted Recommendation No.3".

It could be seen here, therefore, that the logic deployed in adopting Recommendation No. 3 clearly anticipated a major role to be played by the OAU in an African Civil Aviation Organ both in the initial steps to be taken for its establishment and after it was established.

8. The new draft as agreed upon by the OAU and ECA secretariats was then sent to all member States of the OAU and to the President of the ICAO Council. Moreover, the OAU General Secretariat submitted a report on the whole subject to the Assembly of Heads of State and Government and

and the Council of Ministers in Kinshasa in September 1967. Consequently, the Assembly endorsed Council resolution CM/Res.130 (IX) the operative paragraph of which reads as follows:

"Recommends that ICAO Statute as amended by the OAU and the ECA should form the basis for the discussion on the establishment of an African Civil Aviation Organ, and that a Conference of all Member States be called at an opportune date to establish such an organ."

9. Subsequently, after extensive correspondance with the President of the ICAO Council, the Administrative Secretary General of the OAU and the Assistant Secretary General of the OAU, in charge of Transport and Communications Affairs, the Executive Secretary of the ECA and the President of the Council of ICAO as well as high officials of these Organizations met for consultations in Addis Ababa on 1st and 2nd May 1968. During the meeting, the ICAO draft as amended by the OAU and the ECA, was reviewed and discussed. Finally, the ICAO introduced some amendments which were acceptable both the OAU and ECA Secretariats and one final text was agreed upon. On its part, the General Secretariat of the OAU submitted a progress report to the Eleventh Ordinary Session of the Council of Ministers in Algiers in September 1968. The Council approved the final text agreed upon by the OAU, ECA and ICAO. Furthermore, it adopted a resolution, CM/Res.166(XI), one of the operative paragraphs of which requested the Secretary General of the OAU "to take the necessary steps for convening the meeting" for the establishment of an African Civil Aviation Organ.

10. Thus the General Secretariat of the OAU dispatched the final draft text of the Constitution and Rules of Procedure of the proposed African Civil Aviation Organ to all Member States of the OAU. It is now attached here as annex II. Furthermore, invitations to the Constitutive Conference to be held in Addis Ababa from 13 to 18 January 1969, as agreed upon by the OAU, ECA and ICAO, was extended to all Member States by the General Secretariat of the OAU. Likewise, the OAU Secretariat in consultation with the ECA, prepared the draft agenda and circulated to all Member States. It is now attached to this report as annex III.

11. Replies were received from thirty-five member States of the OAU. Two member States regretted that they could not attend and one member state did not come although a positive reply was received that it would attend. The Conference opened as scheduled with thirty-two member States of the OAU represented. The States represented were the following: Algeria, Burundi, Cameroon, Central African Republic, Democratic Republic of the Congo, Equatorial Guinea, Ethiopia, Gabon, Ghana, Ivory Coast, Kenya, Liberia, Libya, Malawi, Mali, Mauritania, Mauritius, Morocco, Niger, Nigeria, Republic of Congo, Rwanda, Senegal, Sierra Leone, Sudan, Swaziland, Togo, Tunisia, United Arab Republic, United Republic of Tanzania, Upper Volta and Zambia. No observers were invited to this conference.
12. The Conference was opened by H.E. Dr. Haile Giorgis Workineh, Minister of State, Ministry of Public Works of the Imperial Ethiopian Government. Addresses were given by Mr. Walter Binaghi, President of the Council of ICAO; Mr. Prosper Rajaobelina, Deputy Executive Secretary of the ECA (delivered on behalf of Mr. Robert Gardiner, Executive Secretary of the ECA who went on an urgent mission to New York); and H.E. Mr. Diallo Telli, Administrative Secretary General of the OAU and who chaired the opening ceremony. The text of the opening addresses are attached to this report as annexes IV, V, VI, and VII, respectively.
13. The Conference adopted the draft agenda and unanimously elected the following members as officers of the Conference:
- |                |                                 |
|----------------|---------------------------------|
| Chairman:      | Ethiopia                        |
| Vice-Chairmen: | Mali<br>Tanzania                |
| Rapporteurs:   | Republic of the Congo<br>Sudan. |
14. The Conference examined the draft Constitution and Rules of Procedure for the African Civil Aviation Commission presented by the OAU, ECA and ICAO. It made various amendments to those texts and decided to adopt the Constitution and Rules of Procedure for the African Civil Aviation Commission (AFCAC) and these are attached to this report as annexes VIII and IX respectively.

15. After adoption of the Constitution the Conference elected unanimously the Bureau of the African Civil Aviation Commission in accordance with Article 6 of the Constitution. Due consideration was given to sub-regional distribution with regard to the election of the Vice-Presidents. The following members were, therefore, elected:

President: Ghana  
Vice-Presidents: Morocco (Northern Sub-region)  
Kenya (Eastern Sub-region)  
Cameroon (Central Sub-region)  
Mali (Western Sub-region)

The Conference further decided that the Secretariat of AFCAC should be located provisionally in the ICAO Regional office in Dakar, Senegal.

16. As regards item 7 of the Agenda, concerning the Work Programme, the Conference agreed that it should be finalized by the Bureau on the basis of the draft Work Programme which is attached here as annex X. It was further agreed that the Bureau would assign priorities to the items on the Work Programme and consider suggestions submitted by Member States.

17. The Conference finally concluded its deliberations on 17 January 1969.

18. It would now be appropriate to make some observations regarding the proceedings and the result of the Conference. It is to be regretted that after many efforts and negotiations with the other Organizations, ECA and ICAO, the Constitution as adopted fell short of what all along the years the General Secretariat aspired to be it in view of the stand taken by the Assembly and the Council of Ministers as evidenced by the Kinshasa and the Algiers Resolutions. While it is a victory for the OAU that Africans have come closer in one more area of cooperation, there however, remained an element which shadows the claim of a complete victory for the General Secretariat of the OAU. It is in fact for this particular reason that the beginning of this report went into detail, at the cost of repetition, regarding the evolution of the African Civil Aviation Commission.

19. One of the main interests of the OAU, and it should be added of the ECA, during the examination of the Original draft Constitution prepared by ICAO was the nature of African Civil Aviation Commission and its Secretariat. The General Secretariat strongly believed that the Commission must be an independent African Organization and its Secretariat an African Secretariat provided by the major African Organizations, OAU and ECA, with assistance, when necessary, from the two international organizations concerned with air transport, ICAO and IATA. For this reason the original ICAO draft Constitution was found to be basically unacceptable to the OAU as well as to the ECA in that the African Civil Aviation Organ was to supplement the work of ICAO in Africa.

However, with the full knowledge of the views of the political bodies of the OAU and the General Secretariat as well as that of the ECA, the ICAO openly reiterating their original proposal and through the short range technical know-how and financial promise for the new organization accomplished what amounted to a denial of the right of the OAU in an organization for whose existence the OAU is a fundamental factor.

20. Here it may be relevant to note the metamorphosis the article establishing the Secretariat underwent. Firstly, the original ICAO draft envisaged the following:

"subject to the concurrence of the Council of ICAO, Secretariat service for AFCAC, for studies meetings, maintainance of records and the like shall be performed by the ICAO Secretariat."

This article was further annotated as follows:

"At the time of writing the ICAO Council has only given approval in principle to the provision of assistance to AFCAC and will consider the matter again after AFCAC has been constituted. It is anticipated that if the constitution, objectives and working arrangements of AFCAC are similar to those of ECAC (European Civil Aviation Commission) the Council will give its approval to the provision of Secretariat assistance on a similar basis..."

21. The General Secretariat of the OAU categorically objected to this arrangement and the ECA concurred. The article was then amended to read as follows:



"The Secretariat of AFCAC for studies, meetings, maintainance of records and the like shall be provided by ECA/OAU with the assistance of ICAO/IATA."

The OAU General Secretariat had this and the ICAO draft submitted to the Assembly and the Council meetings in Kinshasa, in September 1967, and the article as amended by the General Secretariat was endorsed. This was then circulated to all member States and to the President of the ICAO Council.

22. During the meeting referred to in paragraph 9 the President of the ICAO Council proposed an amendment to this article and for the sake of understanding and cooperation the OAU Secretariat submitted the amendments to the Assembly and the Council in Algiers in September 1968. Since there was no objection the article as amended and agreed upon by the three organizations, OAU, ECA, ICAO, was submitted as article 13 of the draft constitution of the AFCAC.

23. Perhaps the most serious debate of the Conference was on this article. The Administrative Secretary General of the OAU and the Assistant Secretary General in charge of Transport and Communications expended no little effort in emphasizing the political and legal implications of this article in view of the decisions taken by the Political bodies of the OAU. Be that as it may, the Conference finally adopted article 12 of the Constitution of the AFCAC whereby it established the Secretariat. It reads as follows:

"There shall be established by AFCAC a Secretariat for organizing studies, meetings maintainance of records and the like. The rules governing the recruitment and considerations of service of the staff shall be determined by AFCAC. ICAO, during the initial period to be determined by AFCAC, shall have the following responsibilities:

- (i) to provide staff to carry out studies, organize meetings and undertake related activities;
- (ii) to handle minutes, correspondance, etc.

AFCAC shall make full use of the experience and assistance of ICAO in conformity with the practice followed by the latter with similar international organization."

24. In the final analysis the aims of the ICAO as advanced in the original draft were fulfilled. While the functions of the AFCAC in relation to the OAU is simply to be as that with any other governmental or non-governmental organization concerned with civil aviation its only direct duty remained as one of receiving instruments of ratification and withdrawal.

25. It now remains for the Council to pronounce its views on the newly established Commission so as to alleviate any doubts that may have been caused on the stand of the OAU. For there seem to be certain contradictions in the fact that in a Commission where members are assessed for the budget, except for the indirect costs, (Article 13), that ICAO is to take the sole direction of the Secretariat even during the initial period. None of the technical and financial services could have hardly been refused had the Secretariat been established in accordance with the OAU/ECA/ICAO draft presented to the Conference. Thus, unless some mechanism whereby the OAU could involve itself in the Secretariat could be devised now, during the initial period, the African States shall only be contributing to an ICAO Regional Office for Africa.

CM/260  
Annex I

ANNEX I  
RECOMMENDATION NO.3 OF THE  
AFRICAN AIR TRANSPORT CONFERENCE OF 1964  
AN AFRICAN CIVIL AVIATION ORGAN

THE CONFERENCE

HAVING STUDIED

the requirements of the development of African air transport, and  
OBSERVING

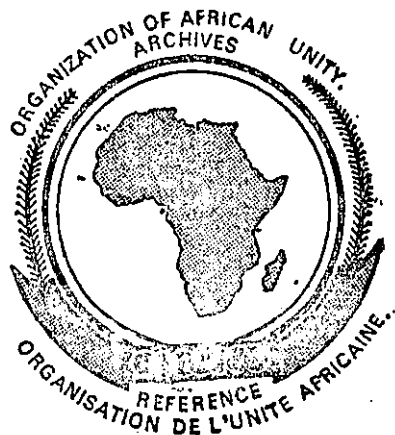
that the OAU has established a Transport and Communications  
Commission with terms of reference including air transport, and

NOTING

the actual co-operation which exists between OAU and ECA,

RECOMMENDS

that ICAO and ECA consult with OAU with the object of submitting  
to member States, by mutual agreement, a study aimed at the estab-  
lishment of an African civil aviation organ in order that a  
conference may be convened to establish such an organ as soon as  
possible.



D R A F TAFRICAN CIVIL AVIATION COMMISSION  
CONSTITUTION

1. The African Civil Aviation Commission (AFCAC) shall be composed of the Independent African States members of ECA and OAU.
2. The functions of AFCAC shall be consultative and its conclusion and recommendations shall be subject to acceptance by each of the governments.

OBJECTIVES

3. The objectives of AFCAC are:
  - (a) To provide the Ministers responsible for civil aviation in the African Member countries with a framework within which to discuss and plan all the required measures of co-ordination and co-operation for their civil aviation activities;
  - (b) To promote co-ordination, better utilization and orderly development of African air transport.

FUNCTIONS

4. The functions of AFCAC will include, among other things, and in conjunction with OAU, ECA, ICAO and IATA:
  - (a) Setting out regional and sub-regional plans for the operation of air services in and outside Africa;
  - (b) Carrying out studies of the feasibility of standardization of the policies of governments regarding commercial aspects of air transport;
  - (c) Carrying out studies of the possibility of integration of the policies of governments regarding commercial aspects of air transport;
  - (d) Carrying out studies of intra-African fares and rates with a view to adopting a structure conducive to the rapid growth of traffic in Africa;

- (e) Carrying out studies of regional or sub-regional air transport economic questions other than those mentioned in (b), (c) and (d) above;
- (f) Encouraging the application of ICAO standards and recommendations on facilitation and supplementing them by further measures aimed at greater facilitation of the movement by air of passengers, cargo and mail;
- (g) Fostering arrangements between States whenever this will contribute to the implementation of ICAO regional plans for air navigation facilities and services and of ICAO specifications in the fields of air worthiness, maintenance and operation of air craft, licensing of personnel and aircraft accident investigation;
- (h) Fostering programmes for the accelerated training of indigenous personnel in all fields of civil aviation.

5. AFCAC will, inter alia:

- (a) Establish relations, as required, with any other governmental or non-governmental international organizations concerned with African civil aviation and African airlines;
- (b) Study the need for collective arrangements for technical assistance in the region with a view to obtaining the best possible use of all available resources, particularly those provided within the framework of the United Nations Development Programme.

ORGANIZATION AND WORKING ARRANGEMENTS

6. The AFCAC will meet in ordinary plenary session at reasonable intervals to be decided by the Commission.

7. At each ordinary plenary session, the AFCAC will elect its President and 1/ Vice Presidents, who will constitute the Bureau of AFCAC.

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1/ The number of Vice-Presidents to be elected has been left blank because it is a matter of opinion, influenced by many considerations. A minimum of 4 Vice-Presidents would seem necessary because of the large number of States who will belong to the Commission (about 40); at the same time, if a larger number is desired, it should not be so large as to make it difficult for the Bureau to function efficiently. The work of the Bureau will require frequent and rapid correspondence between its members, supplemented by short meetings approximately every six months.

8. Extraordinary plenary meetings may be convened by the Bureau and must be convened if the Bureau receives a request from a majority of the AFCAC members.
9. At each ordinary plenary session, AFCAC will establish its work programme <sup>2/</sup> for the period until the following ordinary plenary session.
10. The direction, co-ordination and steering of the work programme between ordinary plenary sessions will be the responsibility of the Bureau of AFCAC.
11. The AFCAC shall determine its own internal organization, arrangements and procedures, including the formation of sub-committees to study special aspects of African air transport.
12. States should be represented at meetings of AFCAC by delegates senior in rank and competent in the field to be discussed for the authoritative handling of the problems.
13. There shall be established an independent secretariat for AFCAC for organizing studies, meetings, maintenance of records and the like. The rules governing the recruitment and conditions of service of the staff shall be determined by AFCAC itself. To discharge the functions indicated in paragraph 4 above, AFCAC will take fully into account the respective responsibilities of OAU, ECA and ICAO and may also seek the assistance of organizations engaged in the field of air transport.

#### FINANCIAL MATTERS

14. At each ordinary plenary session, AFCAC will prepare and approve a budget of the direct costs of its activities, as indicated in the work programme for the ensuing years. AFCAC will establish its own financial rules for the assessment of members' contributions and control of expenditure.

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<sup>2/</sup> The work programme should be carefully studied in order to avoid the inclusion of items which do not present a genuine interest to a sufficient number of African States. Unless a constant control is exercised, the work programme may become difficult to handle and very costly to all States.

D R A F T

RULES OF PROCEDURE FOR PLENARY MEETINGS  
of the AFRICAN CIVIL AVIATION COMMISSION

(For its subordinate bodies, the AFCAC decided, on each occasion, which are the applicable rules)

Meetings

Rule 1

The African Civil Aviation Commission (AFCAC) will meet in ordinary plenary session at reasonable intervals to be decided by the Commission. [Constitutional Resolution\*] It shall be convened by the President of AFCAC at a suitable time and place, and subject to any directives given by the Commission.

Rule 2

Extraordinary Plenary meeting of AFCAC may be convened by the Bureau and must be convened if the Bureau receives a request from a majority of the AFCAC members. [Constitutional Resolution\*].

Delegations

Rule 3

All AFCAC members shall have an equal right to be represented at the sessions of the Commission. No person shall represent more than one State.

Rule 4

Delegations of Member States may be composed of delegates, alternates and advisers. One of the delegates shall be designated as the Chief Delegate. In case of his absence the Chief Delegate may designate another member of his Delegation to serve in his stead.

Rule 5

AFCAC may invite, at its discretion, observers to attend a session of the Commission.

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\* The expression "Constitutional Resolution" refers to the resolution to be adopted by AFCAC determining the Constitution, Objectives, Organization and Working Arrangements and Financial Matters, when the Commission is created.

## Credentials

### Rule 6

- 1) Delegations shall be provided ~~with credentials signed on~~-behalf of the State or organization concerned, by a duly authorized person, specifying the name of each member of the Delegation and indicating the capacity in which he is to serve. The credentials shall be deposited with the Secretary of the AFCAC.
- 2) The Secretary of the AFCAC shall examine the credentials and report thereon to the Commission without delay.
- 3) Delegates, alternates, advisers and observers shall be entitled, pending the presentation of a report on credentials by the Secretary of the AFCAC and action thereon by the Commission, to attend meetings and participate in them, subject, however, to the limits set forth in these Rules.
- 4) The Commission may debar from further participation in the meetings any delegate, alternate, adviser or observer whose credentials it finds to be defective.

## Officers

### Rule 7

At each ordinary plenary session, AFCAC will elect its President and 4 Vice-Presidents, who will constitute the Bureau of AFCAC. [Constitutional Resolution]. During any unavailability of the President, his functions will devolve upon the Vice-Presidents in order of seniority. The new officers shall assume office as soon as they are elected and shall continue until the next ordinary plenary session. At each ordinary plenary session at least \*4 new Vice-Presidents shall be elected.

## Agenda

### Rule 8

- 1) Provisional Agenda. Before each ordinary plenary session of the Commission, the Bureau, in consultation with the States members of the Commission and with the ECA, OAU and ICAO shall determine the Provisional Agenda. The Provisional Agenda for an ordinary plenary session shall be made available to all AFCAC members not less than two months before the opening date of that session.

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\* The number should be about 1/3 of the total number of Vice-Presidents.



- 2) Final Agenda. ~~The Commission shall adopt the final Agenda at the beginning of each plenary session.~~
- 3) ~~The Commission may, at any time, add any item to the Agenda of an ordinary plenary session or otherwise amend it.~~

#### Rule 9

The Agenda of extraordinary plenary meetings of AFCAC convened by the Bureau shall be confined to items specified by the Bureau and, for extraordinary meetings convened at the request of States, to the items specified in their request. The Agenda for an extraordinary session shall be made available to all States members of the Commission not less than one month before the opening date of that session.

#### Committees and subordinate organs

#### Rule 10

- 1) At each ordinary plenary session, the Commission shall establish an Executive Committee and may also establish such sub-committees, open to all States members of AFCAC, sub-committees of limited membership and committees of experts as it may consider to be necessary or desirable, with such functions as it may specify.
- 2) The Chairman of the Executive Committee shall be the President of AFCAC.
- 3) The Chairman of Committees shall be elected by the plenary and the Vice-Chairmen, by the Committees themselves.
- 4) Sub-Committees of limited membership and committees of experts shall appoint their own chairmen, and, if necessary, vice-chairmen.
- 5) A Sub-Committee may establish such subordinate organs as it may deem fit.

#### Secretariat

#### Rule 11

The Secretary of AFCAC shall act as the Secretary at each plenary session. He shall be assisted as required by representatives of ECA, OAU or ICAO.

#### Conduct of Business

#### Rule 12

~~Plenary meetings of the Commission shall be held in public unless the Commission decides that any of its meetings shall be held in private.~~ Meetings of the Committees and working groups shall be held in private unless the body concerned decides otherwise.

### Rule 13

~~Members of delegations of member States not represented in a body of limited membership may attend and participate without voting, or the right to make or second proposals, in the meetings of such body.~~

### Rule 14

#### Observers

Observers shall have the right to attend all public meetings and private meetings of Committees, except the Executive Committee, unless the body concerned decides otherwise. Observers may attend meetings of working groups if so decided by the group concerned. Observers shall have the right to participate in discussions of the meetings that they are allowed to attend and to present documents, but not to vote or to make or or second proposals.

### Rule 15

#### Quorum

- 1) A majority of the member States of AFCAC shall constitute a quorum for plenary sessions of the Commission.
- 2) A majority of the States represented at a plenary session shall constitute a quorum for meetings of the Executive Committee.
- 3) The Commission shall determine the quorum for the committee and groups, if in any case, it is considered necessary that a quorum be established for such bodies.

### Rule 16

#### Powers of the presiding officer

The presiding officer of the Commission or of any body concerned shall declare the opening and closing of each meeting, direct the discussion, ensure observance of these Rules, accord the right to speak, put questions and announce decisions. He shall rule on points of order and, subject to those Rules, shall have complete control of the proceedings of the body concerned and maintain order at its meetings.

### Rule 17

#### Speakers

- 1) ~~The presiding officer shall call upon speakers in the order in which they have expressed their desire to speak. He may call a speaker to order if his observations are not relevant to the subject under discussion.~~
- 2) Generally, no Delegation may speak a second time on any question, except for clarification, until all other Delegations desiring to speak have had an opportunity to do so.
- 3) At plenary meetings of the Commission, the Chairman of a Committee or group of experts may be accorded precedence for the purpose of explaining the conclusions arrived at by the body concerned. In meetings of a committee or group of experts, similar precedence may, for the same purpose, be accorded to the Chairman of any other organ of the Commission.

### Rule 18

#### Time limit on speeches

A presiding officer may limit the time allowed to each speaker, unless the body concerned decides otherwise.

### Rule 19

#### Points of order

- 1) Notwithstanding the provisions of Rule 17, a delegate may at any time raise a point of order, and the point shall immediately be decided by the presiding officer.
- 2) Any delegate may make a motion appealing against such decision. In that case, and subject to the provisions of Rule 20, the procedure specified in Rule 21 (2) shall be followed. The decision given by the presiding officer under paragraph 1) shall stand unless over-ruled by a majority of the votes cast.

### Rule 20

#### Motions and amendments

- 1) A motion or amendment shall not be discussed until it had been seconded.

- 2) ~~Motions and amendments may be presented and seconded only by members of the Delegations of States members of the Commission.~~
- 3) No motion may be withdrawn if an amendment to it is under discussion or has been adopted.
- 4) Proposals for formal action shall not be discussed until 24 hours after they shall have been submitted in writing, except in the absence of objection to earlier discussion.

#### Rule 21

##### Procedural motions

- 1) Subject to the provisions of Rule 20, any delegate may move at any time the suspension or adjournment of the meeting, the adjournment of the debate on any question, the deferment of discussion on an item, or the closure of the debate on an item.
- 2) After such a motion or one under Rule 19 (2) has been made and explained by its proposer, only one speaker shall normally be allowed to speak in opposition to it and no further speeches shall be made in its support before a vote is taken. Additional speeches on such motion may be allowed at the discretion of the presiding officer. A delegate speaking on such a motion may speak only on that motion and not on the substance of the matter which was under discussion before the motion was made.

#### Rule 22

##### Order of procedural motions:

The following motions shall have priority over all other motions, and shall be taken in the following order:

- a) to suspend the meeting;
- b) to adjourn the meeting;
- c) to adjourn the debate on an item;
- d) to defer the debate on an item;
- e) for closure of the debate on an item.

#### Rule 23

##### Reconsideration of proposals

Re-opening within the same body and at the same session of a debate already completed by a vote on a given item shall require a majority of votes cast. ~~Permission to speak on a motion to re-open~~ shall normally be

accorded only to the proposer and to one speaker in opposition, after which it shall be immediately put to vote; when a larger number of speeches is allowed by the presiding officer, priority of recognition shall be given to the leading participants in the debate affected by the motion, or in the sponsorship of or opposition to the proposal that would be affected. Speeches on a motion to re-open shall be limited in content to matters bearing directly on the justification of re-opening. Discussion of the substance of the question at issue will be in order only if, and after, the motion to re-open prevails.

#### Rule 24

##### Discussions in subordinate organs

A subordinate organ established by a committee or group of experts may conduct its deliberations informally, save that it may at any stage decide that these Rules shall be observed at its meetings.

#### Rule 25

##### Voting rights

Each State member of the Commission, if duly represented, shall have one vote at meetings of the Commission, committees, groups of experts or subordinate organs of which it is a member.

#### Rule 26

##### Voting of presiding officer

Subject to the provisions of Rule 25, the presiding officer of the Commission, committee, group of experts or subordinate organ shall have the right to vote on behalf of his State.

#### Rule 27

##### Majority required

1) Except as otherwise provided in these Rules, decisions shall be by a majority of the votes cast; provided that the affirmative votes of a majority of those present in the meeting where the vote is taken are required for the approval of recommendations and conclusions. An abstention shall not be considered as a vote.

20) Decisions regarding any amendments or additions to the Constitutional Resolution (Constitution, Objectives, Organization and Working Arrangements, and Financial Matters) shall require the affirmative vote of two-thirds of the States represented at the session, provided that the number of those affirmative votes should not be less than a majority of the States members of AFCAC. An abstention shall not be considered as a vote.

#### Rule 28

##### Method of voting

- 1) Subject to paragraph 2 hereof, voting shall be by voice, by show of hands, or by standing, as the presiding officer may decide.
- 2) In meetings of the Commission and its committees there shall be a roll-call vote if requested by two States members of the Commission. The vote or abstention of each State participating in a roll-call vote shall be recorded in the minutes.

#### Rule 29

##### Division of motions

On request of any delegate, and unless the meeting otherwise decides, parts of a motion shall be voted on separately. The resulting motion shall then be put to a final vote in its entirety.

#### Rule 30

##### Voting on amendments

Any amendment to a motion shall be voted on before a vote is taken on the motion. When two or more amendments are moved to a motion, the vote should be taken on them in their order of remoteness to the original motion, commencing with the most remote. The presiding officer shall determine whether a proposed amendment is so related to the motion as to constitute a proper amendment thereto, or whether it must be considered as an alternative or substitute motion; this ruling may be reversed by a majority of votes cast.

Rule 31Voting on alternative or substitute motions

Alternative or substitute motions shall, unless the meeting otherwise decides, be put to vote in the order in which they are presented, and after the disposal of the original motion to which they are alternative or in substitution. The presiding officer shall decide whether it is necessary to put such alternative or substitute motions to vote in the light of the vote on the original motion and any amendment thereto. Such decisions may be reversed by a majority of the votes cast.

Rule 32Tie voting

In the event of a tie vote, a second vote on the motion concerned shall be taken at the next meeting, unless the Commission or body concerned decides that such second vote be taken during the meeting at which the tie vote took place. Unless there is a majority in favour of the motion on this second vote, it shall be considered lost.

Rule 33Languages

English and French shall be the languages of AFCAC.

Rule 34Reports

Reports prepared by meetings of the Commission shall be distributed to States members of the Commission, to observers which attended the meetings, to ECA and OAU and ICAO and to other bodies that the Commission may decide.

Rule 35Records of proceedings

1) Minutes of the plenary meetings of the Commission shall be prepared by the Secretariat and approved by the Commission.

- 2) ~~Proceedings of committees, groups of experts and subordinate organs shall be recorded in summary form, except where the Commission directs otherwise in the case of committees dealing with matters of high importance.~~

Rule 36

- 1) Except in the case of Rule 1, 2, 3, 9, 15, 27 and 33, these Rules may be amended, or any portion of the Rules may be suspended, at any time by the Commission in plenary session by a majority of the members of AFCAC represented at the session.
- 2) Amendment or suspension of Rules 1, 2, 3, 9, 15, 27 and 33 shall require the affirmative vote of two-thirds of the States represented at the session, provided that the number of those affirmative votes should not be less than a majority of the States members of AFCAC. An abstention shall not be considered as a vote.



ANNEX III

AGENDA

1. Opening of the Meeting.
  - a) address by Representative of the Host Country
  - b) Address by the Administrative Secretary-General of the OAU.
  - c) Address by the President of the Council of ICAO.
  - d) Address by the Executive Secretary of the ECA.
2. Election of Officers.
3. Adoption of the Agenda.
4. Organization of Work.
5. Adoption of the Constitution and Rules of Procedure of the African Civil Aviation Commission.
6. Election of the Bureau of the African Civil Aviation Commission.
7. Discussion of the Work Programme.
8. Adoption of the Report.
9. Date and Venue of Next Meeting.
10. Any other Business.

Explanatory Notes

1. Opening of the Meeting

It is customary in meetings of this nature that the representative of the host country and the sponsoring organizations will make welcome addresses.

2. Election of Officers

It is suggested that the Conference elect the following officers in order to facilitate its work:

- a. One Chairman
- b. One Vice-Chairman
- c. One Rapporteur

3. Adoption of the Agenda

The Provisional Agenda containing nine items is now before the Conference for adoption (AFCAC/1)

4. Organization of Work

The following working schedule is suggested:

- Morning 9.30 - 1.00  
Afternoon 3.00 - 6.00

5. Adoption of the Constitution and Rules of Procedure of the African Civil Aviation Commission

The Draft Constitution and Draft Rules of Procedure have already been submitted to all governments for their considerations and adoption (AFCAC/2).

6. Election of the Bureau of the African Civil Aviation Commission

The Bureau of AFCAC is envisaged to consist of one President and four Vice-Presidents in order to conduct the affairs of the Commission.

7. Discussion of the Work Programme

8. Adoption of the Report

9. Date and Venue of the Next Meeting

The Conference may decide here the date and venue of the First Ordinary Session of the African Civil Aviation Commission.

10. Any other Business

The Conference may discuss any other item that it deems necessary before the closure of the Conference.

## ANNEX IV

H.E. DR. HAILEGIORGIS WORKINEH, MINISTER OF STATE,  
MINISTRY OF PUBLIC WORKS OF ETHIOPIA

Your Excellencies, Distinguished delegates, Ladies and Gentlemen,

On behalf of the Ethiopian Delegation and myself I would, first and foremost, like to extend my greetings of welcome to the distinguished Delegates to this Conference and the Ethiopian delegation looks forward for the opportunities of a pleasant discussion and association.

I consider it a great privilege and honour to have been given this opportunity of addressing this Conference of the distinguished Delegates representing the African Member States as well as the Officials of the Economic Commission for Africa, the Organization of African Unity, and the International Civil Aviation Organization, for the establishment of the proposed African Civil Aviation Commission. It gives me pleasure to express my sincere appreciation to the Economic Commission for Africa, the Organization of African Unity and the International Civil Aviation Organization for their continued interest and for their efforts to convene this Conference.

While Aviation is playing an extremely important role in the economic development and the social integration of the Member States, the extent to which the exploitation of this indispensable Industry has fallen short of its vast potential has become a special concern to the African States. The relatively slow rate of development of Aviation in Africa in contrast to the rapid development of the Aviation Industry and its application in general in the rest of the world has widened the gap between what has been achieved and what needs to be achieved in Africa. If we are to benefit effectively from this innovation we have to face this challenge realistically. A rational approach to the problem and a common goal based on the principles governing the recommendations of the African Civil Aviation Organ should form a sound basis for solutions.

The vast Continent of Africa with its physical features, economic and social structure suffers from a considerable lack of surface transportation. Although most of the Member States of the Economic Commission for Africa are in the process of developing and implementing surface transportation programmes, involving a relatively sizable magnitude of investment there still is a long way to go. Time being the essential factor of this era, it is my opinion, that a careful and partial appropriation of funds in favour of the development of aviation will result in a useful compromise to alleviate, at least to a reasonable extent, some of the acute shortages of transportation particularly for the sub-regional and domestic sectors.

In general, therefore, surface and air transportations being complementary to each other there will be very little risk of duplication, in the long term, if such a scheme of planning were to be adopted. The advantages to be gained from this approach will undoubtedly have beneficial results.

It would not be improper to mention here that despite the emphasis laid in my comments so far on the needs of the development of Africa in the field of Aviation, what the African Countries have so far achieved in general in this field of development is by no means to be under-estimated.

Confining my comments to the more general approach of Aviation in Africa, for further and deeper treatment of the subject I would like to draw the attention of the distinguished Delegates to the report entitled "AIR TRANSPORT IN AFRICA" prepared in 1964, jointly by the Economic Commission for Africa and the International Civil Aviation Organization. The report summarizes in some depth the problems which have become a hindrance to the development of Aviation in Africa together with the appropriate recommendations.

Bearing in mind the low income per capita of the Economic Commission for Africa Member States, it is fundamental that operating expenses, per passenger kilometer, be maintained at a much lower level than what they are at the present time if Aviation has to develop in the Continent of Africa. In the opinion of the Ethiopian Delegation an essential part of the problem in this area, hinges on the lack of trained Africans. To this end the training of the indigenous staff in the various specialized fields of Aviation skills requires training programmes based either on regional or

sub-regional plans should be a possible approach to this very important problem which is of such a magnitude ~~that no individual African State~~ could hope to cope with it independently. I sincerely hope that formulating this will be one of the first tasks of the African Civil Aviation Organ.

The present meagre effort being made independently by the ECA Member States may, to a certain extent, ease the problem, but cannot be regarded as the most effective nor the most economical solution.

In line with other similar organizations, the African Civil Aviation Organ will have the dual responsibility of primarily focussing its attention on the regional problems of Africa and, at the same time, keeping an eye on the worldwide interests of Aviation. This Conference and any other future one on this same subject will be entrusted with the task of formulating the basis on which this goal could best be achieved. At this juncture, ~~it~~ would seem proper for me to express the appreciation of the Government of Ethiopia to the Economic Commission for Africa, the Organization of African Unity and the International Civil Aviation Organization for their effort and devotion in preparing the ground work and producing a sound document on the basis of which this Conference is being convened. I would, in particular, wish to pay a tribute to the President of the Council of the International Civil Aviation Organization for his untiring effort and assistance in the work that has already been accomplished.

This proposed Commission will be confronted with numerous problems, nevertheless it is fortunate in that it will have ready access to the experience and the assistance of the International Civil Aviation Organization with its experience of planning and its remarkable achievement in the system of co-operation with the Governments, Airlines Operators, institutions and manufacturers of aviation products and facilities, etc., which has made its contribution to Aviation a success. It is my belief that the African Civil Aviation Organ could pursue this same example and benefit from this remarkable wealth of experience. This, coupled with the backing of the Organization of African Unity and the Economic Commission for Africa and the determination of the Member States to achieve a common goal, will guarantee to place the organ on a firm footing. Before I conclude, I must repeat that the African Civil Aviation Organ though it will inevitably be faced with technical, economical and political problems, should nevertheless remain a part of a worldwide organization having as

its primary objectives the regional Aviation development. We have to foresee that there could arise occasions when regional and worldwide interests will not coincide and, as in so many other similar instances, wisdom and judgement will have to play a major role in devising fair and equitable solutions.

The recent effort of some of the African Airlines in attempting to form an Association of African Carriers should be supported and encouraged by all the African Member States. Since this is a move in the right direction they should be congratulated for their initiative. I may take this opportunity of wishing them every success.

Finally, I would like to mention what I consider to be the essential merits for the success of the subject you are about to discuss; above all the full support of every member State must be guaranteed. A modest start, with careful study, preparation and planning, may have to precede any full scale activity.

I would like to conclude by wishing your stay in Addis Ababa to be both fruitful and pleasant. Thank you for the attention you have given me.

ANNEX V

ADDRESS BY MR. WALTER BINAGHI,  
PRESIDENT OF THE COUNCIL OF ICAO

It is a great honour for me to address you, Ministers and high aviation authorities, at the opening of this Conference. The International Civil Aviation Organization (ICAO) is a specialized agency in relation with the United Nations. ICAO is responsible for all aspects of international civil aviation, technical, economic and legal. Its present membership of 116 States includes all the African States invited to attend this meeting, excepting the last five States to become independent. Your Governments, by becoming members of ICAO, have entrusted the Organization with important responsibilities in international civil aviation matters and I can assure you that it is our desire to discharge those responsibilities for your benefit. For those of you who may not be familiar with our Organization, I would like to make a brief reference to our activities.

ICAO, with about 150 professional staff in its regular programme and 250 Technical Assistance field staff, has built up over the past 24 years a unique body of experts in all aspects of civil aviation with a completely international outlook and ready to serve the needs of member States. For the last ten years, ICAO has been constantly increasing its work in Africa. Our two Regional Offices, one in Dakar and one in Cairo, have a total of nearly 40 persons. We reinforce the office resources, from time to time, with special teams of experts. Up to the present, the activities of these Offices have been mainly technical, assisting and co-ordinating the action of States in the implementation of the ICAO Regional Plans for air navigation facilities and services. However, one of the main decisions of our Assembly, which met in Buenos Aires last September, was that, starting this year, air transport officers will be added to the Regional Offices to deal with aviation economic problems. The first officer will be in Dakar in a few months and another one will be in the Cairo Office late this year.





From our Headquarters in Montreal, we conduct missions to States, particularly to deal with Facilitation matters. We also work on studies and other activities required by Africa. Thus, in 1964, we prepared jointly with the Economic Commission for Africa a document on Air Transport in Africa. In 1967, a study on the development of air passenger travel in Africa was published and in a few months we shall publish another document on African air freight and air mail. We are now undertaking a study on the economics of route facilities which will cover Africa. The conclusions reached in these studies will provide an excellent basis for further work by the civil aviation commission that you are about to establish.

ICAO also carries out important technical assistance work in the Region. The magnitude of our effort will be evident if I mention that almost 40 per cent of our total technical assistance activities is devoted to Africa. During each of the last years, we have been providing assistance to about 30 African States. ICAO has also participated in the establishment of aviation training centres in Casablanca, Cairo, Kinshasa, Nairobi, Tunis and Zaria. We are now expecting the establishment of a centre in Uganda. These training centres, together with the instruction provided by our experts in different countries, provide part of the solution to what is perhaps the most pressing problem civil aviation faces in Africa, namely, the lack of trained personnel.

The scope of our activities makes us naturally very interested in the present meeting. This interest is of long standing. In November 1964, ICAO convened in this city, jointly with the ECA, a civil aviation conference. ICAO had hoped that shortly after the meeting in 1964, an African Civil Aviation Commission would be established and with this in mind we prepared a draft constitution for the establishment of that Commission. The scope and working arrangements we proposed were similar to those of the European Civil Aviation Conference (ECAC) which has successfully taken care of aviation problems in Europe since 1954. We circulated the draft to all African States and more than half of them replied indicating agreement with our proposals. The developments since that time are described in the paper circulated by the Organization of African Unity that you have before you. The text attached as Annex 3 to that paper differs from the original proposals of ICAO in two main

respects: one relates to the functions assigned to AFCAC, the other to the Secretariat of AFCAC. Because of the different states of development of air transport in Africa, you may find justification for the enlargement of the functions, in order to cover airlines matters. With regard to secretariat services the new draft includes the idea of an independent Secretariat while in our proposals we had suggested that ICAO undertake to provide them.

In spite of these differences, I agreed with the heads of OAU and ECA that the text in Annex 3 was acceptable as a basis for discussion at this meeting because I did not want to interrupt our dialogue with them. My agreement, however, does not commit the Council of ICAO, since this Council has not examined the text. Now it is up to the African States, represented here, to decide on the functions, structure and working arrangements of AFCAC in the light of all the background information available.

I would like to refer in this regard to a recent development, namely a pronouncement on regional activities by our Assembly which, as I said before, met in Buenos Aires last September. The Assembly, attended by 103 States, of which 30 were African, adopted unanimously a resolution which includes the following two clauses:

"(1) INVITES the Council:

- (a) to give sympathetic consideration to requests for assistance in air transport matters of regional interest presented by Contracting States or regional organizations and, when required, to support the creation, on the request of States, of regional civil aviation bodies likely to establish with ICAO relations comparable to those which ICAO maintains with the European Civil Aviation Conference pursuant to Resolution A10-5;
- (b) in response to these requests for assistance, to make effective use of the services of the Secretariat, including the Regional Offices, particularly for direct contacts;

- (4) ~~EMPHASIZES~~ the desirability of States making use of the assistance the Organization can provide regarding regional co-operation in the air transport field."

The reference to the European Civil Aviation Conference and A10-5 should be noted. To explain it briefly, ICAO has been providing for fourteen years now Secretariat services to ECAC at ICAO's expense; ECAC States only pay for some direct costs such as hiring of extra staff for meetings or special tasks. This arrangement has in no way interfered with the complete freedom of decision and action by ECAC and the States involved. The same would be true in the case of any other regional organization which would like to enter into similar arrangements with ICAO.

Details regarding the manner of application of the Resolution just mentioned are decided by the ICAO Council, generally on the advice of the Air Transport Committee. In this regard, you will be interested to know that among the 27 Council Members there are 6 African States (Congo (Brazzaville), Nigeria, Senegal, Tanzania, Tunisia and United Arab Republic) and that at present the Chairman of the Air Transport Committee is the Representative of Congo (Brazzaville).

The reasons for the support of ICAO to regional civil aviation bodies are natural. It is difficult to think of civil aviation activities within a region which do not influence and, in turn, are not influenced by such activities in other regions. Countries in a region have airlines that fly to other parts of the world and, also, are visited by airlines from outside the region. In addition to technical standardization, which is essential on a world-wide basis to ensure safety, there is a need to co-ordinate action taken by regional organs in the interest of the States of their respective regions, so as to ensure the orderly growth of international civil aviation, insure the rights of all States and avoid discrimination between them and meet the needs of the peoples of each region for efficient and economical air transport. ICAO was created for that purpose and is ready to serve its States. Our representatives at this meeting will be ready to provide, if you so request, all necessary detailed information on our activities and resources for assistance.

In closing, I would like to extend my best wishes to you for a successful meeting.

## ANNEX VI

ADDRESS OF MR. ROBERT GARDINER,  
EXECUTIVE SECRETARY OF THE ECONOMIC COMMISSION FOR AFRICA

Your Excellencies,  
Distinguished delegates,  
Ladies and gentlemen,

On behalf of Mr. Robert Gardiner, Executive Secretary of the Economic Commission for Africa, who is now in New York on official business, I welcome you to Addis Ababa and the headquarters of ECA.

It has long been evident that the substantial development of the transport system in Africa is a sine qua non of general economic progress. Given the relatively primitive state of the transport system at the time at which most countries gained their independence, it is understandable that much attention should have been paid in the immediate post-independence years to civil aviation. Air transport in one sense represents a means by which the vast distances within the African continent can be quickly reduced and a means by which Africa can be kept in close contact with the world economy. The appeal of air transport in African conditions was reflected in the early establishment of African national airlines; most if not all of them were a heavy burden on the much-needed budget resources of their countries, hence the convening in Addis Ababa in November 1964 of the first African Air Transport Conference.

As was clear from the searching discussions of this first conference, air transport in Africa faces a number of difficulties, some of which are peculiar to the air transport industry and some of which reflect general African circumstances. These difficulties arise most graphically from the combination of high unit costs which characterize modern air transport and the smallness of African economies. In air transport, therefore, as in other areas of economic activity, the pressing need in Africa multinational co-operation. This need was recognized in Recommendation No.3 of the first African Air Transport

Conference which called for the establishment of an African civil aviation organ; and the need for such co-operative effort has become more urgent since then. Technological developments have been proceeding at a great pace in the air transport industry in recent years; and if African countries are to operate viable airlines with modern and competitive equipment, they must do so conjointly rather than severally.

In recognition of this there has been much searching discussion between the OAU and the ECA on the one hand, and ICAO on the other. As a result of this discussion it has finally proved possible to produce a draft constitution for an African civil aviation organ which was approved by the OAU Council of Ministers in September 1968. This draft specifies objectives, functions and rules of procedure; and it is before you for your consideration and, I hope, adoption.

African national airlines are, of course, already in touch with their counterparts elsewhere; and they play a full part in the proceedings of the International Air Transport Association. In 1966, 1967 and 1968 sub-regional meetings on economic co-operation paid attention to the need for development of air transport networks in Africa. For example, the meeting of Heads of State of East and Central Africa has specifically requested the countries concerned to co-ordinate their services so that they meet the requirements of the travelling public. A recent striking example is the initiative taken last April by African members of IATA in forming an Association of African Airlines. I trust that this meeting will support the initiative of the Association and to co-ordinate its activities with those of AFCAC, particularly as the aims of the two bodies appear to be identical.

In particular, you may wish to consider the establishment of technical working groups to study the problems raised by the attempts to establish multinational sub-regional airlines in Africa. I am aware that these attempts have been enthusiastically and widely supported. I am also aware, however, that there are difficulties still to be overcome; and that these difficulties are likely to be increased by the

introduction of the new super jets into the industry in the 1970s. The working groups should study this problem more fully and report to the Commission at its next meeting.

To facilitate your discussions and the establishment of relevant working parties, we suggest that the following topics deserve particular attention:

- (a) establishment of multinational engineering and overhaul bases;
- (b) standardization of equipment;
- (c) education and training of indigenous personnel in all fields of aviation;
- (d) studies of intra-African fares and rates with a view to adopting a structure conducive to the rapid growth of traffic in Africa.

The Secretariat of ECA is, of course, ready, in collaboration with the Secretariats of the OAU and of ICAO, to assist the technical working groups; and it must not be forgotten that the International Air Transport Association has a large fund of pertinent experience.

I wish you well in your deliberations.

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ANNEX VII

STATEMENT BY H.E. MR. DIALLO TELLI, ADMINISTRATIVE SECRETARY  
GENERAL OF THE ORGANIZATION OF AFRICAN UNITY

Mr. Minister of the Imperial Government of Ethiopia,  
Mr. President of ICAO,  
Mr. Executive Secretary of ECA,  
Your Excellencies,  
Ladies and Gentlemen,

It is for me a great pleasure and also a happy omen to welcome you, distinguished delegates to the first conference on inter-African co-operation in the year 1969. Bearing as you do, the highest responsibility for development of transport in your respective countries, you have come to Addis Ababa to lay down the structures for the promotion of inter-African co-operation in one of the most important aspects of communications, namely Civil Aviation. Although air transport is now regarded everywhere as the most dynamic sector in the communications networks and in bringing peoples closer together, in Africa where distances have long been a fixed barrier between different societies, it is one of the most practical ways to accelerate our drive to national unity and greater inter-African cohesion.

These undeniable assets of air transport are such that, right after independence, many an African State whatever the resources and size, made a great effort to ensure as best as it could and at the earliest, the development of this important sector of national economy. Thus, in the majority of cases, member States of OAU tried with varying degrees of success to launch their national airlines whose shortcomings are well known. They are due primarily to the financial outlay on equipment and civil aviation operations. But these shortcomings are also connected with the amount of control exercised by foreign powers and non-African airlines on the development of air transport, through technical and financial assistance.

However, this does not in any way weaken the positive fact that in the first place, many African States deserve praise for the progress so far made in this vital field of their development. In the majority of African States, it can rightly be said that since independence, the effort to develop air transport has made it possible for African leaders to keep in constant touch with all parts of their countries and help the various groups to get to know one another better and to feel that they belong to one and the same Nation. In every State, though in varying degrees, it is correct to say that the internal and external resources invested in the development of air transport have made a genuine contribution to the strength of the Nation.

It was therefore only natural that in their rightful search for an ever greater effective solidarity among African States, African leaders who meet under the aegis of OAU should draw new strength from their diversity and should have decided that aviation should secure for the continent as a whole, the possibilities of closer contact and unity which it has achieved at the national level.

To build up this new Africa, entirely free from foreign domination and controlling its own economic destiny, the primary need was to reduce the stranglehold of foreign countries and international trusts on our economic development. To do this, it was necessary to find ways and means of bringing African markets closer together and using to the best advantage, the complementary character of the natural and human resources between neighbouring States, breaking down as it were, the administrative, customs and fiscal barriers which separate them. We had to succeed in combating the prejudices inherited from different colonial policies, clearing away the layers of foreign education in order to reveal the intrinsic values common to Africans, which could offer a sound basis for renewed solidarity in securing the development of our continent.

For this purpose, it was important to define and build-up together a communications network, which would not only bring our leaders into contact with one another as quickly as possible, but would also help the peoples to know one another better, to appreciate one another to a greater extent and acquire a concrete sense of the promises of the common destiny which their leaders, meeting under OAU are preparing for them. Nowadays, communications networks entail modern telecommunications and above all, a rationally conceived air transport system covering the whole of Africa.



Although on a national basis, it is much easier to achieve quick success in setting up civil aviation for the entire country, a continental network is definitely not as easy. This is so because the stranglehold and the control exercised by foreign powers and non-African organizations are incompatible with the revolutionary spirit which to us makes air transport, a modern means to bring our peoples together for greater unity and solidarity.

Having established a nucleus of airlines in Africa, the colonial powers, in their own interest and for obvious economic and political reasons, made sure that all these airlines were geared towards the former metropolitan capitals and that their development served to perpetuate the colonial pact. Since independence, nothing has been more difficult than making foreign assistance satisfy the aims of African integration as far as air transport is concerned. The technical intricacies, the high rate of investment, the cost of modernization and maintenance of air services, compelled every African government to seek external aid and to open thereby to foreign powers and organizations, the way to influence our civil aviation in a more or less subtle manner.

In any case, only Africans themselves can introduce in this field as in many others, the necessary innovations. They alone can initiate reforms to ensure that their air services are an effective means of further consolidating the unity of the African peoples. OAU leaders were so conscious of this need that at their very first meeting, they appealed to all governments to pool their resources and experience in the field of air transport, so that their co-ordinated development could be the starting point of Africa's economic unity. Similarly, under the stimulus of ECA, those responsible for the African economy constantly strove among other things, to pool their resources and co-ordinate their air services.

All these efforts led to the first African conference on civil aviation, organized jointly by ECA and ICAO in November 1964. After a careful study of civil aviation problems in Africa, delegates at that Conference recommended the setting up of an African body for civil aviation. This indicated their conviction that genuine progress in the development of our Continent through rational exploitation of civil aviation implied sustained effort, constant research and consultation among African high officials and technicians. This can be achieved only through adequate

~~structures with all the facilities~~ and guarantees both technically and politically for the speedy integration of civil aviation, to safeguard fully the best interests of the African peoples.

The African Commission for Civil Aviation (AFCAC) whose draft constitution you have before you, and which constitutes the central theme of your deliberations, meets the overriding considerations which are at once technical, economic and political. It is no easy matter to adjust technical limitations to the needs of economic and political directives. The relatively protracted negotiations between ICAO, ECA and OAU on the draft constitution best illustrate the delicate nature of an effort at such reconciliation.

It may be pointless now to recall the difficulties encountered in those negotiations; but the following details are pertinent, namely that in conformity with the wishes of African leaders, in consonance with the legitimate aspirations of our peoples in their fight against under-development, AFCAC must be a technical body committed to the promotion of a great and noble political ideal.

The AFCAC as a technical body must take every step to provide all technical guarantees that will gradually make available to African governments, the most modern and best adapted civil aviation for Africa. The AFCAC must develop into an African body familiar with all problems however intricate, connected with the smooth development of civil aviation. It must be sufficiently equipped to cope with the future needs of civil aviation in all African countries and undertake all activities pertaining to the standardization of equipment. It behooves AFCAC to prepare our continent to enter the new era of air transport heralded by supersonic and subsonic aircrafts.

Since the best possible modern air transport has no place in Africa except for the services it provides for Africans, AFCAC will at the same time, undertake a study on air tariffs within the African region, so as to make it accessible to our peoples as time goes on. The AFCAC will have to rectify the anomaly whereby through special tariff arrangements, it is cheaper nowadays to travel from Algiers to New York than it is from Addis Ababa to Algiers. It appears that, better than any other body, AFCAC should propose training programmes for the numerous African staff who, at various levels, will be called upon to operate our continental civil aviation.

Obviously, the technical programme assigned to AFCAC covers all aspects of civil aviation development in Africa. This implies that AFCAC should enjoy the full and constant collaboration of African airlines whose experience and problems should serve as food for thought and lead eventually to innovations and future progress. In the Africa of our day, where under-development requires economy in the use of financial resources as well as experience and time as far as the technician is concerned, African airlines will find in the framework of AFCAC, the facilities they so legitimately took for in their efforts to meet and exchange ideas and thus ensure the co-ordination of their services to the peoples of Africa. This integration is absolutely necessary and can be effective only through constant consultations between African governments and airlines under the aegis of AFCAC.

Similarly, the AFCAC will have to maintain the closest and most active co-operation with organizations which throughout the world, are called upon to handle civil aviation problems either technically or commercially. Among these, it is only fair to give a place of honour to ICAO whose contribution, all the African countries here represented, have had reason to appreciate in their economic development. The ICAO has even done better; but for her sustained assistance and willingness to help Africa herself, the meeting we are attending today could have been a pious hope. In thanking ICAO officers, I think it important to appeal to them for continued co-operation with AFCAC in its bid to co-ordinate its activities with those of IATA whose experience and contribution we shall need for the harmonious development of the commercial aspects of AFCAC.

In any case, international organizations as well as foreign companies interested in air transport in Africa should understand that AFCAC can only act as a more efficient channel for such assistance as they may wish to give African States. With Africans well organized to define their needs and say what they wish and how they expect assistance to be provided for them, it is clear that such assistance as the outside world might provide for programmes drawn up by the receiving countries themselves is nowadays a more significant contribution than it was in the past. The Organization of African Unity is convinced that whatever

happens, AFCAC, in its efforts to serve as a valid spokesman between African governments and international organizations and other such bodies responsible for the development of civil aviation, would have taken a major step in achieving its technical objectives.

As regards the political aspect, AFCAC is irrevocably committed to the spirit of solidarity and unity enshrined in the Charter of the Organization of African Unity. In this way, although the structures of AFCAC meet the necessary technical requirements of the organization, it will nevertheless give special hearing to the political leaders whose primary aim is to use technical know-how to achieve political ideals.

For, if one were to take into account only the technical considerations, there is a danger of quickly abandoning for economic reasons, some aspects of the programme I have just mentioned. The status quo will then be perpetuated since air transport on the North/South line namely from Africa to Europe or America is nowadays, as a matter of course, more profitable than the East/West line which brings African States closer together and offers them better opportunities for development. This is why the genuine fears and precautions of the technician should be matched with the courage and determination of the politician, firm in his belief in a political ideal and total commitment. Just as African leaders, faced with the exigencies of the modern world have within ECA and OAU committed themselves to gear their civil aviation towards better relations between African States, the determination of AFCAC officials should remain firm in securing the integration of our continental civil aviation. Moved by its political conviction and despite anything to the contrary which may emerge from economic studies, AFCAC must resolutely bring together the existing airlines so as to extend their activities to the entire African continent. Similarly, AFCAC must study the possibilities of new routes for African airlines in order to foster daily and speedy contacts between the various capitals where the future of the African peoples is being decided. It will be the task of AFCAC to adapt as time goes on, the international civil aviation regulations to the specific conditions of our continent, to conceive a realistic policy on air tariffs to enable intensive contacts between Africans not only between political leaders, but also between workers, youth-leaders, businessmen, university

students, farmers and traders; in a nutshell, between all those who, through reasonable air tariffs, can exchange their experiences which constitute the most valid basis for African Unity.

The Organization of African Unity is convinced that negotiations with the foreign organizations who control air transport in Africa and intend to continue doing so, are not exclusively technical in nature. These negotiations are mainly political acts in which unity of action and firmness on the part of the Africans will constitute the most important determining factors. Unity and firmness in action must lead to coherent and permanent discussions with outside interests if we are to achieve rapidly the integration which alone can give a new impetus to our civil aviation.

Success so far recorded in these negotiations will bring about serious reluctance on the part of foreign countries likely to give assistance to Africa. Thus, it will still be through greater political determination, initiated and co-ordinated within AFCAC, that Africans will find the means to pool their internal resources and prove by the earnest of their first achievements, however modest, that they are not seeking free aid from the outside world but wish to invest such assistance in profitable undertakings in one of the most lucrative sectors of our economic life. In this difficult path, it will also be a political move indicative of great maturity and a definite choice in favour of African economic independence, to encourage all and sundry in face of odds at the start, fully aware that the ultimate success is assured, thanks to past or present difficulties or setbacks.

Your Excellencies,  
Ladis and Gentlemen,

I thought it paramount to stress to some extent the political aspects of the activities assigned to AFCAC, for some would be tempted to see only the purely technical aspect of the objectives of this organization. If the development of aviation means mastering extremely complex modern techniques or acquiring and using extremely expensive equipment, it will not be out of place to repeat here that this modern technique is meaningless unless it is put within the reach of the Africans.

The Africans, fully committed to the fight for greater economic well-being, now realize that the results of this struggle depend on what Africa can do for herself. It is to this internal effort which implies the rationalization of African solidarity that the Economic Commission for Africa and the Organization of African Unity have definitely committed themselves. It is only natural and right that, at a time when everything is being done to set up a new Organization responsible for civil aviation, a field whose importance needs no stressing, the Administrative Secretary General of the Organization of African Unity should invite honourable delegates at this conference to draw inspiration from the objectives and ideals of the Addis Ababa Charter. We are convinced that, thanks to the integration of these ideals and these objectives within the framework of AFCAC, the organization which will emerge from your discussions will have all the required assets so as to make a valuable contribution to the building up of the new Africa for which the peoples and governments of this continent are yearning with all their heart.

The OAU General Secretariat is determined to spare no pains to ensure the success of the important assignment upon which AFCAC is about to embark and by way of conclusion, I would like to wish the Conference every success.

ANNEX VIII  
AFRICAN CIVIL AVIATION COMMISSION  
CONSTITUTION

1. The African Civil Aviation Commission (AFCAC) is an autonomous body and membership shall be open to African States members of ECA or OAU.
2. AFCAC is a consultative body and its conclusions and recommendations shall be subject to acceptance by each of the governments.

OBJECTIVES

3. The objectives of AFCAC are:
  - (a) To provide the civil aviation authorities in the member States with a framework within which to discuss and plan all the required measures of co-ordination and co-operation for all their civil aviation activities;
  - (b) To promote co-ordination, better utilization and orderly development of African air transport systems.

FUNCTIONS

- 4.1 The functions of AFCAC shall, in particular, include:
  - (a) Formulating plans at the regional and sub-regional levels for the operation of air services within and outside Africa;
  - (b) Carrying out studies of the feasibility of standardization of flying equipment and ground units servicing aircraft;
  - (c) Carrying out studies of the possibility of integration of the policies of governments regarding commercial aspects of air transport;
  - (d) Carrying out studies of intra-African fares and rates with a view to adopting a structure conducive to the rapid growth of traffic in Africa;
  - (e) Carrying out studies of regional or sub-regional air transport economic questions other than those mentioned in (b), (c) and (d) above;

- (f) Encouraging the application of ICAO standards and recommendations on facilitation and supplementing them by further measures aimed at greater facilitation of the movement by air of passengers, cargo and mail;
- (g) Fostering arrangements between States whenever this will contribute to the implementation of:
  - (i) ICAO regional plans for air navigation facilities and services, and;
  - (ii) ICAO specifications in the fields of airworthiness, maintenance and operation of aircraft, licensing of personnel and aircraft accident investigation.
- (h) Fostering and co-ordinating programmes for the development of existing and future training facilities to cope with the present and future regional and sub-regional requirements for personnel in all fields of civil aviation;
- (i) Studying the need for collective arrangements for technical assistance in Africa with a view to obtaining the best possible use of all available resources, particularly those provided within the framework of the United Nations Development Programme.

4.2 AFCAC shall, in the exercise of its functions, work in close consultation and co-operation with OAU, ECA, ICAO and any other governmental or non-governmental international organization concerned with civil aviation.

#### ORGANIZATION AND WORKING ARRANGEMENTS

- 5. AFCAC shall meet in ordinary plenary session once every two years.
- 6. At each ordinary plenary session, AFCAC shall elect its President and four Vice-Presidents, one for each sub-region, who will constitute the Bureau of AFCAC.
- 7. Extraordinary plenary meetings may be convened by the Bureau and must be convened if the Bureau received a request from two-thirds of the AFCAC members.



8. At each ordinary plenary session, AFCAC shall establish its work programme for the period until the following ordinary plenary session.
9. The direction, co-ordination and steering of the work programme between ordinary plenary sessions shall be the responsibility of the Bureau of AFCAC.
10. AFCAC shall determine its own internal organization, arrangements and procedures, including the formation of committees to study special aspects of civil aviation in Africa.
11. Member States should be represented at meetings of AFCAC by delegates senior in rank and competent in the field to be discussed for the authoritative handling of the problems.
12. There shall be established by AFCAC a Secretariat for organizing studies, meetings, maintenance of records and the like. The rules governing the recruitment and conditions of service of the staff shall be determined by AFCAC, ICAO, during the initial period to be determined by AFCAC, shall have the following responsibilities:
  - (i) To provide staff to carry out studies, organize meetings and undertake related activities;
  - (ii) To handle minutes, correspondence, etc.

AFCAC shall make full use of the experience and assistance of ICAO in conformity with the practice followed by the latter with similar international organizations.

#### FINANCIAL MATTERS

13. At each ordinary plenary session, AFCAC shall prepare and approve a budget of the direct costs of its activities, as indicated in the work programme for the ensuing years. AFCAC shall establish its own financial rules for the assessment of members' contributions and control of expenditure. As regards the indirect costs, these shall be the responsibility of ICAO in accordance with the practice followed by ICAO in the joint financing field under Chapter XV of the Chicago Convention.

SIGNATURE, RATIFICATION AND WITHDRAWAL

14. The present constitution is open to signature by all States attending the Constitutive Conference of AFCAC and by all other independent African States members of the OAU or ECA.

The instruments of ratification shall be deposited with the Secretariat of the OAU which shall give notice of the date of deposit to AFCAC and all member States of AFCAC.

The present Constitution shall be open for the signature of African States as of 17 January 1969 at the Headquarters of the OAU in Addis Ababa.

The Constitution shall come into force provisionally as of 17 January 1969 and shall come into force definitively after ratification by twenty member States.

15. To withdraw from AFCAC, a State shall address a notification to that effect to the Secretariat of OAU which shall immediately notify AFCAC and all other members.

Withdrawal shall take effect one year from receipt of the notification.

AMENDMENT

16. This Constitution may be amended by a two-thirds majority of all members.

State

Signature

Date

ALGERIA

BURUNDI

CAMEROUN

CENTRAL AFRICAN REPUBLIC

DEMOCRATIC REPUBLIC OF CONGO

<u>State</u>	<u>Signature</u>	<u>Date</u>
EQUATORIAL GUINEA		
ETHIOPIA		
GABON		
GHANA		
IVORY COAST		
KENYA		
LIBERIA		
LIBYA		
MALAWI		
MALI		
MAURITANIA		
MAURITIUS		
MOROCCO		
NIGER		
NIGERIA		
REPUBLIC OF CONGO		
RWANDA		
SENEGAL		

SIERRA LEONE

SUDAN

SWAZILAND

TOGO

TUNISIA

UNITED ARAB REPUBLIC

UNITED REPUBLIC OF TANZANIA

UPPER VOLTA

ZAMBIA

ANNEX IX  
RULES OF PROCEDURE FOR PLENARY MEETINGS OF  
THE AFRICAN CIVIL AVIATION COMMISSION

(For its subordinate bodies, the AFCAC decided, on each occasion, which are the applicable rules)

Meetings

Rule 1

The African Civil Aviation Commission (AFCAC) will meet in ordinary plenary session once every two years. It shall be convened by the President of AFCAC at a suitable time and place, and in accordance with any directives given by the Commission.

Rule 2

Extraordinary Plenary meeting of AFCAC may be convened by the Bureau and must be convened if the Bureau receives a request from two-thirds of the AFCAC members.

Delegations

Rule 3

All AFCAC members shall have an equal right to be represented at the sessions of the Commission. No person shall represent more than one State.

Rule 4

Delegations of Member States may be composed of delegates, alternates and advisers. One of the delegates shall be designated as the Chief Delegate. In case of his absence the Chief Delegate may designate another member of his Delegation to serve in his stead.

Rule 5

The Bureau of AFCAC shall invite OAU, ECA and ICAO to attend each session of the Commission as observers. Furthermore the Bureau may invite, at its discretion, other observers to attend a session of the Commission.

## Credentials

### Rule 6

1. Delegations shall be provided with credentials signed on behalf of the State or organization concerned, by a duly authorized person, specifying the name of each member of the Delegation and indicating the capacity in which he is to serve. The credentials shall be deposited with the Secretary of the AFCAC.
2. A credentials Committee, appointed by the President at each Plenary meeting shall examine the credentials and report thereon to the Commission without delay.
3. Delegates, alternates, advisers and observers shall be entitled pending the presentation of a report on credentials by the Credentials Committee and action thereon by the Commission, to attend meetings and participate in them, subject, however to the limits set forth in these Rules.
4. The Commission may debar from further participation in the meetings any delegate, alternate, adviser or observer whose credentials it finds not to be in order.

## Officers

### Rule 7

At each ordinary plenary session, AFCAC shall elect its President and 4 Vice-Presidents, who will constitute the Bureau of AFCAC. The President and Vice-Presidents may be re-elected. The Bureau shall itself establish the order in which the functions of the President will be assumed by each Vice-President in case of unavailability of the President. The new officers shall assume office as soon as they are elected and shall continue until next ordinary plenary session.

## Agenda

### Rule 8

1. Provisional Agenda. Before each ordinary plenary session of the Commission, the Bureau, in consultation with the States members of the Commission and with the ECA, OAU and ICAO shall determine the Provisional Agenda. The Provisional Agenda for an ordinary plenary session shall be made available to all AFCAC members not less than three months before the opening date of that session.

2. Final Agenda. The Commission shall adopt the final Agenda at the beginning of each plenary session.

3. The Commission may, at any time, add any item to the Agenda of an ordinary plenary session or otherwise amend it.

#### Rule 9

The Agenda of extraordinary plenary meetings of AFCAC convened by the Bureau shall be confined to items specified by the Bureau and, for extraordinary meetings convened at the request of States, to the items specified in their request. The Agenda for an extraordinary session shall be made available to all States members of the Commission not less than one month before the opening date of that session.

#### Committees and subordinate organs

#### Rule 10

1. At each ordinary plenary session, the Commission shall establish an Executive Committee and may also establish committees, open to all States members of AFCAC. Sub-committees of limited membership and committees of experts shall be established as necessary or desirable, with such functions as the Commission may specify.
2. The President of AFCAC shall be the Chairman of the Executive Committee.
3. The Chairmen of Committees shall be elected by the plenary and the Vice-Chairmen, by the Committees themselves.
4. Sub-Committees of limited membership and committees of experts shall appoint their own Chairmen, and, if necessary, Vice-Chairmen.
5. A Sub-Committee may establish such subordinate organs as it may deem fit.

#### Secretariat

#### Rule 11

The Secretariat of AFCAC shall act as the Secretary at each plenary session and shall arrange for the provision of secretariat services for the committees. He shall be assisted as required by representatives of ECA, OAU or ICAO.

Conduct of Business

Rule 12

Plenary meetings of the Commission shall be held in public unless the Commission decides that any of its meetings shall be held in private. Meetings of the Committees and working groups shall be held in private unless the body concerned decides otherwise.

Rule 13

Members of delegations of member States not represented in a sub-committee of limited membership may attend and participate without voting or the right to make or second proposals, in the meetings of such body.

Rule 14

Observers

Observers shall have the right to attend all public meetings and private meetings of Committees, except the Executive Committee, unless the body concerned decides otherwise. Observers may attend meetings of working groups if so decided by the group concerned. Observers shall have the right to participate in discussions of the meetings that they are allowed to attend and to present documents, but not to vote or to make or second proposals.

Rule 15

Quorum

1. A majority of the member States of AFCAC shall constitute a quorum for plenary sessions of the Commission.
2. A majority of the States represented at a plenary session shall constitute a quorum for meetings of the Executive Committee.
3. The Commission shall determine the quorum for the committee and groups, if in any case, it is considered necessary that a quorum be established for such bodies.



Rule 16

Powers of the presiding officer

The presiding officer of the Commission or of any body concerned shall declare the opening and closing of each meeting, direct the discussion, ensure observance of these Rules, accord the right to speak, put questions and announce decisions. He shall rule on points of order and, subject to those Rules, shall have complete control of the proceedings of the body concerned and maintain order at its meetings.

Rule 17

Speakers

1. The presiding officer shall call upon speakers in the order in which they have expressed their desire to speak. He may call a speaker to order if his observations are not relevant to the subject under discussion.
2. Generally, no Delegation may speak a second time on any question, except for clarifications, until all other delegations desiring to speak have had an opportunity to do so.
3. At plenary meetings of the Commission, the Chairman of a Committee or group of experts may be accorded precedence for the purpose of explaining the conclusions arrived at by the body concerned. In meetings of a committee or group of experts, similar precedence may, for the same purpose, be accorded to the Chairman of any other organ of the Commission.

Rule 18

Time limit on speeches

A presiding officer may limit the time allowed to each speaker, unless the body concerned decides otherwise.

Rule 19

Points of order

1. Notwithstanding the provisions of Rule 17, a delegate may at any time raise a point of order, and the point shall immediately be decided by the presiding officer.

2. Any delegate may make a motion appealing against such decision. In that case, and subject to the provisions of Rule 20, the procedure specified in Rule 21 2. shall be followed. The decision given by the presiding officer under paragraph 1. shall stand unless over-ruled by a majority of the votes cast.

#### Rule 20

##### Motions and amendments

1. A motion or amendment shall not be discussed until it has been seconded.
2. Motions and amendments may be presented and seconded only by members of the Delegations of States members of the Commission.
3. No motion may be withdrawn if an amendment to it is under discussion or has been adopted.
4. Proposals for formal action shall not be discussed until 24 hours after they shall have been submitted in writing, except in the absence of objection to earlier discussion.

#### Rule 21

##### Procedural motions

1. Subject to the provisions of Rule 20, any delegate may move at any time the suspension or adjournment of the meeting, the adjournment of the debate on any question, the deferment of discussion on an item, or the closure of the debate on an item.
2. After such a motion or one under Rule 19 2. has been made and explained by its proposer, only one speaker shall normally be allowed to speak in opposition to it and no further speeches shall be made in its support before a vote is taken. Additional speeches on such motion may be allowed at the discretion of the presiding officer. A delegate speaking on such a motion may speak only on that motion and not on the substance of the matter which was under discussion before the motion was made.

Rule 22

Order of procedural motions

The following motions shall have priority over all other motions, and shall be taken in the following order:

- (a) To suspend the meeting;
- (b) To adjourn the meetings;
- (c) To adjourn the debate on an item;
- (d) To defer the debate on an item;
- (e) For closure of the debate on an item.

Rule 23

Reconsideration of proposals

Re-opening within the same body and at the same session of a debate already completed by a vote on a given item shall require a majority of votes cast. Permission to speak on a motion to re-open shall normally be accorded only to the proposer and to one speaker in opposition, after which it shall be immediately put to vote: when a larger number of speeches is allowed by the presiding officer, priority of recognition shall be given to the leading participants in the debate affected by the motion, or in the sponsorship of or opposition to the proposal that would be affected. Speeches on a motion to re-open shall be limited in content to matters bearing directly on the justification of re-opening. Discussion of the substance of the question at issue will be in order only if, and after, the motion to re-open prevails.

Rule 24

Discussions in subordinate organs

A subordinate organ established by a committee or group of experts may conduct its deliberations informally, save that it may at any state decide that these Rules shall be observed at its meetings.

Rule 25

Voting rights

Each State member of the Commission, if duly represented, shall have one vote at meetings of the Commission, committees, groups of experts or sub-ordinate organs of which it is a member.

Rule 26

Voting of presiding officer

Subject to the provisions of Rule 25, the presiding officer of the Commission, committee, group of experts or subordinate organ shall have the right to vote on behalf of his States.

Rule 27

Majority required

1. Except as otherwise provided in these Rules, decisions shall be by a majority of the votes cast; provided that the affirmative votes of a majority of those present in the meeting where the vote is taken are required for the approval of recommendations and conclusions. An abstention shall not be considered as a vote.
2. Decisions regarding any amendments or additions to the Constitution shall require the affirmative vote of two-thirds of the States represented at the session, provided that the number of those affirmative votes should not be less than a majority of the States members of AFCAC. An abstention shall not be considered as a vote.

Rule 28

Method of voting

1. Subject to paragraph 2 hereof, voting shall be by voice, by show of hands, or by standing, as the presiding officer may decide.
2. In meetings of the Commission and its committees there shall be a roll-call vote if requested by two States members of the Commission. The vote or abstention of each State participating in a roll-call vote shall be recorded in the minutes.

Rule 29

Division of motion

On request of any delegate, and unless the meeting otherwise decides, parts of a motion shall be voted on separately. The resulting motion shall then be put to a final vote in its entirety.

Rule 30

Voting on amendments

Any amendment to a motion shall be voted on before a vote is taken on the motion. When two or more amendments are moved to a motion, the vote should be taken on them in their order of remoteness to the original motion, commencing with the most remote. The presiding officer shall determine whether a proposed amendment is so related to the motion as to constitute a proper amendment thereto, or whether it must be considered as an alternative or substitute motion; this ruling may be reversed by a majority of votes cast.

Rule 31

Voting on alternative or substitute motions

Alternative or substitute motions shall, unless the meeting otherwise decides, be put to vote in the order in which they are presented, and after the disposal of the original motion to which they are alternative or in substitution. The presiding officer shall decide whether it is necessary to put such alternative or substitute motions to vote in the light of the vote on the original motion and any amendment thereto. Such decisions may be reversed by a majority of the votes cast.

Rule 32

Tie voting

In the event of a tie vote, a second vote on the motion concerned shall be taken at the next meeting, unless the Commission or body concerned decided that such second vote be taken during the meeting at which the tie vote took place. Unless there is a majority in favour of the motion on this second vote, it shall be considered lost.

Rule 33

Languages

English and French shall be the languages of AFCAC.

Rule 34

Reports

Reports prepared by meetings of the Commission shall be distributed to States members of the Commission, to observers which attended the meetings, to ECA and OAU and ICAO and to other bodies that the Commission may decide.

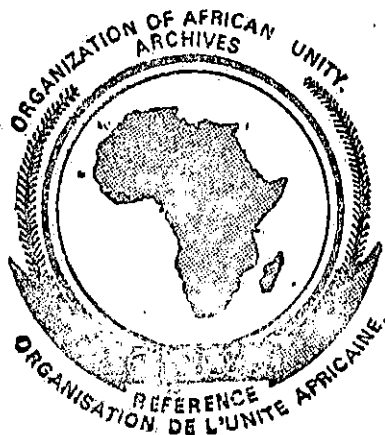
Rule 35

Records of proceedings

1. Minutes of the plenary meetings of the Commission shall be prepared by the Secretariat and approved by the Commission.
2. Proceedings of committees, groups of experts and subordinate organs shall be recorded in summary form, except where the Commission directs otherwise in the case of committees dealing with matters of high importance.

Rule 36

1. Except in the case of Rules 1, 2, 3, 9, 15, 27 and 33, these Rules may be amended, or any portion of the Rules may be suspended, at any time by the Commission in plenary session by a majority of the members of AFCAC represented at the session.
2. Amendment or suspension of Rules 1, 2, 3, 9, 15, 27 and 33 shall require the affirmative vote of two-thirds of the States represented at the session, provided that the number of those affirmative votes should not be less than a majority of the States members of AFCAC. An abstention shall not be considered as a vote.



## ANNEX X

AFRICAN CIVIL AVIATION COMMISSION  
DRAFT WORK PROGRAMME

Note: Since this is the first work programme to be considered by AFCAC it is suggested that Delegates examine the items with great care to avoid initially tasks that do not merit high priority.

1. Determination of measures to further the development of international air passenger travel to, from and within Africa

In the light of the study published by ICAO in June 1967 on the development of international air passenger travel for Africa (ICAO Circular 80 - AT/13) an attempt will be made to determine effective measures on such matters as:

- (a) Promotion of a general awareness of the importance of tourism for national economies in general and for air transport in particular;
- (b) Development of the essential (non-aviation) requirements for tourism including accomodation and services for tourists, local transport, trained personnel, etc.;
- (c) Collection of the statistics required for the ICAO Air Transport Reporting Forms to provide an essential basis for planning;
- (d) Establishment of regular and creative international air passenger fares at levels that will take account of the economies of air transport and, to the greatest extent possible, promote the growth of traffic;
- (e) Encouragement, where appropriate, and with necessary regulation, of the development of non-scheduled charter and inclusive tour operations from other regions to Africa;
- (f) Optimum development of all aspects of African international air services including route networks, flight frequencies, scheduling, co-operative arrangements between air lines etc.;

- (g) Promotion in other parts of the world of tourist travel to those parts of Africa where the necessary accomodation and services for tourism exist; and
- (h) Facilitation of international air travel to, from and within Africa. (ICAO Annex 9).

2. Development of measures aimed at fostering and co-ordianting training programmes for personnel in all fields of civil aviation making use particularly of the resources available within the United Nations Development Programme.

3. Determination of measures to further the development of international air freight services to, from and within Africa

In the light of the study to be published by ICAO in 1970 on internal air freight for Africa an attempt will be made to determine effective measures for the development of all aspects of African international air freight services.

4. Examination of problems of financing the purchase of air craft

After having examined the increasingly difficult problems of financing resulting from the steadily rising price of aircraft and shown that existing methods of financing are not always satisfactory, an attempt will be made to give indications of new solutions, now under study, aimed at improving the situation.

5. Examination of the possibilities of air line co-operation and integration

In conjunction with the African airlines studies will be carried out on such matters as:

- (a) The feasibility of standardization of flying equipment and ground units serving aircrafts;
- (b) The feasibility of centralizing maintenance bases and other technical services; and



- (c) The desirability of extending present co-operative agreements and arrangements between African airlines, taking into consideration the material on this subject published by ICAO in 1967 in Circular 84 - AT/14.

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Organs

Council of Ministers & Executive Council Collection

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1969-02

# The African Civil Aviation Commission

Organization of African Unity

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