



16 OCT 2017

Kigali,

No: 12.06/0423/2017

Dear reader,

Re: Rwanda's implementation of immediate measures towards actualising the Solemn Commitment to the Implementation of the Yamoussoukro Decision & establishment of a Single Africa Air Transport Market by 2017

Reference is made to the African Union Commission letter dated the 18th May 2016, which was referring to, among other elements, compliance with the Declaration of Solemn Commitment made by pioneering States to open their respective air transport markets.

Rwanda Civil Aviation Authority is pleased to present Rwanda's implementation of immediate measures towards actualising the Solemn Commitment to the Implementation of the Yamoussoukro Decision & establishment of a Single Africa Air Transport Market by 2017.

Before presenting Rwanda's implementation status, we wish to give a background of the Yamoussoukro Declaration, the Yamoussoukro Decision, the Declaration of Solemn Commitment, and the related benefits.

1. The Yamoussoukro Declaration, The Abuja Treaty and The Yamoussoukro Decision

There was an earlier general policy statement on civil aviation made by the Conference of Heads of State and Government of the Organization of African Unity under Resolution CM/Res.804 (XXXV) of June 1980.

Yamoussoukro Declaration of 1988

The Yamoussoukro Declaration of October 1988 was an African Civil Aviation Policy towards a comprehensive reform of the air transport industry and the unification of the fragmented African transport market. Its primary purpose was to create a conducive environment for the development of intra- African and international air services.

The Abuja Treaty of 1991

The Treaty Establishing the African Economic Community, (hereinafter referred to as the Abuja Treaty), adopted at Abuja, Nigeria on the 3rd day of June, 1991, entered into force on 12 May 1994. Particular importance is Article 61 relating to the integration of air transport and Article 10 relating to the authority of the Assembly of Heads of State and Government to adopt decisions.

The Yamoussoukro Decision of 1999

The Yamoussoukro Decision was adopted in Yamoussoukro, Côte d'Ivoire on 14 November 1999 for the liberalization of access to air transport markets in Africa. It called for the liberalization of African skies for African airlines, and aimed to establish a single African air transport market by avoiding market restrictions imposed by bilateral air service agreements. This Decision was subsequently endorsed by the Assembly of Heads of State and Government of the African Union (AU) through Decision AHG/OAU/AEC/Dec.1 (IV) in Lome, Togo on 12 July 2000, and became fully binding in 2002. This followed up on the Yamoussoukro



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Declaration of 1988, in which many of the same countries agreed to principles of air services liberalization.

2. The Declaration of Solemn Commitment

The Declaration of Solemn Commitment uses the model of the Yamoussoukro Decision to immediately allow countries that are ready and willing to open up their markets. It was signed by 11 states at the AU Summit in January 2015. Since then, an additional 12 countries have signed up, bringing the total number to twenty three (23).

Currently, the 23 countries that have signed the Declaration of Solemn Commitment include Rwanda, South Africa, Benin, Côte d'Ivoire, Kenya, Botswana, Burkina Faso, Cape Verde, Republic of Congo, Egypt, Ethiopia, Gabon, Ghana, Guinea, Liberia, Mali, Mozambique, Nigeria, Sierra Leone, Senegal, Swaziland, Togo and Zimbabwe. The Yamoussoukro Decision, which was signed by 44 heads of state in 1999, was supposed to be a continental liberalisation programme, but the quest for many African governments to protect national carriers had largely prevented its implementation.

The African Union realised it was going to be very difficult to have all 44 countries have all of their markets open; so AFCAC decided to get countries immediately willing to open their markets to sign the declaration.

3. Benefits of the solemn commitment

Though it hasn't yet produced fruits in terms of economic benefits, it is clear that the full implementation of the Yamoussoukro Decision will provide enormous benefits to passengers, airlines, airports and other correlative service providers as well as the economy of Member States of the African continent as a whole. It will also facilitate the integration of trade while being a catalyst for economic growth.

4. Rwanda's implementation of immediate measures towards actualising the Solemn Commitment to the Implementation of the Yamoussoukro Decision

The table below shows steps taken by Rwanda to implement immediate measures towards actualising the Solemn Commitment to the Implementation of the Yamoussoukro Decision:

Steps to be taken by States	Implementation by Rwanda
<p>1. Publish or gazette in accordance with national laws that :</p> <p>-States are committed to the immediate implementation of the Yamoussoukro Decision under the terms of the Declaration of solemn commitment in line with the AU Agenda 2063; and</p> <p>-Named signatories of the declaration of solemn commitment have been notified of Rwanda's action under point 2.</p>	<p>Publication in the Rwanda Civil Aviation Authority's newsletter is expected to be done by end of October 2017.</p> <p>Commitment to implement the Yamoussoukro Decision under the terms of the Declaration of Solemn commitment in line with the AU Agenda 2063 has been published on Rwanda Civil Aviation Authority's website</p>



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<p>2.States shall notify other State Parties and especially signatories to the Declaration of Solemn Commitment that their skies are liberalised in accordance with the Yamoussoukro Decision.</p>	<p>The Ministry of Infrastrucure through diplomatic channels, has communicated to other signatories to the Declaration of Solemn Commitment about Rwanda's readiness to implement the Yamoussoukro Decision.</p>
<p>3.Review of BASAs to ensure conformity with the Yamoussoukro Decision:</p> <ul style="list-style-type: none"> -Removal of all restrictions on traffic rights under the 3rd, 4th and 5th freedoms, frequencies, fares, capacity; and -Ensure that all national laws, regulations, policies are in conformity with the express provisions of the Yamoussoukro Decision; 	<p>Rwanda has signed and initialed 23 BASAs with unrestricted fifth freedom traffic right with other African countries.</p>
<p>4.States shall propose to the executing agency (AFCAC) at least one airline established in their state for international air services for consideration under the eligibility criteria article 6.9 of the Yamoussoukro decision. The proposed airline can also be from another State Party or a multinational African airline in accordance with article 6 of the Yamoussoukro Decision.</p>	<p>On 30/05/2017, Rwanda notified to AFCAC, on the designation of Rwandair as an airline established in Rwanda for international air services for consideration under the eligibility criteria article 6.9 of the Yamoussoukro decision was notified to AFCAC.</p>
<p>5.States shall immediately constitute their national implementation committee for the Yamoussoukro decision and the establishment of a single African air transport market, designate a dedicated focal point and notify the RECS and the Executing Agency (AFCAC).</p>	<p>Representatives from Rwanda Civil Aviation Authority and the Ministry of Infrastructure and Rwandair have been designated to constitute the national implementation committee for the Yamoussoukro decision and the establishment of a single African air transport market.</p> <p>Rwanda designated the focal person who is Mr. Karemera Bonney, Head Legal Affairs at Rwanda Civil Aviation Authority, whose contact details are as follows:</p> <p>Mr. Karemera Bonney, Head Legal Affairs Rwanda Civil Aviation Authority Email:bkaremera@caa.gov.rw; bkaremera@gmail.com</p>



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6.States are encouraged to organize public awareness activities/advocacy on YD and the single African air transport market.	RCAA newsletter, the RCAA website and the Ministry of Infrastructure website will be used as a platform to organize public awareness activities/advocacy on YD and the single African air transport market.
7.States shall celebrate the Yamoussoukro Decision (1999) on the anniversary of its signing on 14 th November as part of the advocacy for the promotion of AU agenda 2063 in consultation with AFCAC.	Celebration of the Yamoussoukro Decision (1999) will be celebrated by Rwanda on 14 th November 2017 as part of the advocacy for the promotion of AU agenda 2063 in consultation with AFCAC.

5. Rwanda's commitment to the immediate implementation of the Yamoussoukro Decision under the terms of the Declaration of solemn commitment in line with the AU Agenda 2063

This notice serves to show commitment by Rwanda to the immediate implementation of the Yamoussoukro Decision under the terms of the Declaration of solemn commitment in line with the AU Agenda 2063.

Sincerely,

Silas UDAHEMUKA
Director General
Rwanda Civil Aviation Authority

