



STATEMENT

BY



LEADER- COMESA DELEGATION

**DELIVERED AT THE CAPACITY BUILDING TRAINING WORKSHOP ON ANNEX 6-
REGULATIONS ON CONSUMER PROTECTION OF YAMOUSSOUKRO DECISION
FOR EASTERN AFRICAN REGION.**

KAMPALA, REPUBLIC OF UGANDA

26TH -30TH AUGUST 2024

The Guest of Honour, **The DG - UCAA**

Distinguished members from the **Ministries Works & Transport, together with the Ministry of Trade & Industry**

Member state representatives for Eastern African Community

Representatives from the Regional Economic Communities of EAC and IGAD present.

Representative of AFRAA,

Representative of AFCAC

Representative of IATA

Representative of ICAO-ESAF

Officials from the Uganda Civil Aviation Authority,

Officials from Airlines represented,

Officials from the consumer protection organization represented,

Delegates from the Media Houses represented,

Colleagues from the COMESA Secretariat.

Ladies and Gentlemen.

Allow me with great pleasure to bring to you greetings from the COMESA Secretary General H.E **Chileshe KAPWEPWE** and to welcome you all to this Capacity Building workshop on Annex 6 – (CP) - directly addressing the Yamoussoukro Decision on Consumer Protection.

I am profoundly honoured to extend my gratitude to you **the Guest of Honor DG - UCAA** and indeed the Republic of UGANDA for warmly hosting COMESA activities again in this beautiful Country, THE PEARL OF AFRICA this year. COMESA under the Support to Air Transport Sector Development (SATSD) programme was here in late February to early

March 2024 where we conducted two workshops on the development of the model Bilateral Air Service Agreements-BASA and an awareness workshop on the Single African Air Transport Market -SAATM. Subsequently, COMESA has conducted several other activities in other sectors this year. This workshop, together with our last SAATM workshops are activities forming building blocks to the full implementation of the YD and operationalization of SAATM which is a flagship project of the African Union Agenda 2063 – the very reason we are conducting these programs with AFCAC – the mandated – AUC arm. The purpose of the previous workshops was to harmonise BASAs in line with the articles of the YD, and this is to be finalised this year under our programs. The second workshop by SATSD was to urge the Republic of UGANDA to join SAATM – I appreciate the commitment Uganda made to join SAATM at the earliest opportunity and am told the process is on course at cabinet level.

Allow me also to extend my appreciation to my colleagues from the COMESA Secretariat together with our counterparts in AFCAC for working tirelessly in organising this workshop in collaboration with the Ministry of Works and Transport of the Republic of Uganda, the ministry of Trade and the UCAA for ensuring that this workshop happens successfully. We do not take your sacrifice for granted.

Distinguished Ladies and Gentlemen

I take this opportunity to thank all of you for the various contributions you have made as Member States and aviation partners to the Support to Air Transport Sector Development programme in Eastern Africa, Southern Africa and the Indian Ocean (EA-SA-IO) region. I specifically thank the European Union, our funding partner, for their generosity and continuing

development support; allow me to thank all of you present, for taking time out of your busy schedule to attend this workshop; I also want to express my appreciation to our hosts, the people and government of UGANDA for their continued hospitality. My appreciation also goes to the partner Regional Economic Communities of EAC and IGAD present here today, not forgetting IOC, SADC and of course COMESA – the leading REC in this initiative, for the commendable synergy in facilitating the implementation of this programme. Finally, I want to thank IATA through AFCAC, for agreeing to facilitate this workshop which is aimed at building the capacity of our experts in consumer protection in the air transport industry.

Distinguished Ladies and Gentlemen,

The main objective of this training workshop is to understand air passenger protection regulations and how to handle passenger claims including delays. This is coming against the backdrop of SAATM operationalization in Africa which has seen air transport liberalization in both the European and the USA continents and now Southeast Asia where there is increased competition and increased consumer welfare through lower fares.

Air transport has witnessed many mergers and bankruptcies leading to controversy as to the benefit of liberalization for the consumer and the airlines. In general, many states in Africa have continued protecting their national carriers preventing the growth of air transport in the continent, we have witnessed new entrants in the form of Low-Cost Carriers in the air transport industry despite the slow pace of liberalization.

This has ushered in competition in the air transport industry hence the need to ensure our regulations protect air passengers from “false” advertising, tarmac delays, baggage pilfering, and baggage loss and there is a need to

give them access to information necessary to facilitate compensation when required.

In general, consumers of aviation services don't have the opportunity of being protected by any institution against poor service delivery and are mostly unaware of any rights they may have against the various service providers. Where they are aware of their rights, they are often confronted with institutional incapacity or inabilities, sometimes due to a lack of information.

Distinguished Ladies and Gentlemen,

By and large, the African continent requires harmonized consumer protection regulations or a specialised set of rules dealing with air transport consumer rights. Currently, the Warsaw/Montreal regime remains for many African air transport consumers, the only means of obtaining some form of protection and redress against airlines.

To this end all the prerequisite policy and regulatory framework for the protection of consumers of air transport services at the global, continental, regional and state levels are in place, ranging from the Warsaw 1929 & Montreal 1999 Conventions, UN (ICAO & UNCTAD) policies, regulations and guidelines, AFCAC (African Civil Aviation Policy-AFCAP) and YD regulatory texts, individual RECs regulations and Partner States' institutional mandates. The Eastern Africa Region Air Transport Consumer Protection Focal Persons should put together all these policy and regulatory documents and come up with an implementation plan that will be adopted by all Member States.

Indeed, some African states have also developed a considerable corpus of regulations to guide the operations of service providers and guarantee that

consumer rights are protected. The proverbial questions will always arise under the current dispensation. Have we managed to reduce the harsh effect of **insolvency** on the passengers by travel agents, tour operators and airlines? Have we managed to ensure **fair pricing, fair communication**, and **decent marketing** practices?

To address all these challenges there is a need to publish customer service plans and respond to consumer problems. With no doubt, AFCAC would like a continental establishment with consumer protection units at the Regional Economic Communities and Respective Member States level, these units should directly or indirectly connect consumers of aviation services to; airport operators, Airlines, Tour Operators, Travel Agents, Air Navigation Services Providers, Caterers, Ground Handling Agencies and others to ensure efficient operation of air transport with minimal disruptions to passengers and cargo.

The Eastern Africa Regional Air Transport Consumer Protection Focal Persons should **not** be counted as another part of the generation that identified challenges but that which developed solutions for the consumer protection that transcends not only this generation but also generations to come. Developing such solutions is more for the consumers of air transport services whose interests in most cases are taken secondary by some global commercial players.

COMESA through its program of SATSD funded by the EU, in cooperation with AFCAC as the Executing Agency of the YD will continue to assist RECs and their Member/Partner States to formulate and implement consumer protection policies, laws and regulations to facilitate cooperation among consumer protection agencies, conduct peer reviews and foster the

exchange of knowledge and best practices, including through regional forums, such as the ***Intergovernmental Group of Experts on Consumer Protection Law and Policy***, and by contributing to the implementation of the outcomes of the peer reviews.

Distinguished Ladies and Gentlemen,

Besides conducting the training as presented in the programme, this workshop allows us to physically meet one another, get to know one another, appreciate our diverse contributions to the industry and generally, establish and nurture the personal relations that are so vital for cooperation and coordination in the field of aviation which essentially requires efficiency in service delivery. Therefore, I am confident that we will efficiently utilize this networking opportunity.

Consequently, let me wish you all fruitful discussions during this training workshop and look forward to a transformation in our service delivery to our customers, the aviation service consumer.

Thank you for your attention.