

## Legal Implications of a Single African Air Transport Market on Airlines and Passengers in Nigeria

**Authors :** Adejoke Omowumi Adediran

**Abstract :** The commitment of African states to liberalise civil aviation in Africa through the implementation of the Yamoussoukro Decision of 1999 was reiterated in 2015 at the African Union Assembly meeting. A declaration was made by African Heads of government at the meeting to ensure the immediate implementation of the decision towards the establishment of a Single African Air Transport Market (SAATM) by 2017. A SAATM will imply among others, a removal of all commercial restrictions for African airlines in Africa; access to any route in Africa by African airlines without any required permit or authorisation; and a common set of regulations for airlines in African member states. As the envisioned 2017 date for launching the SAATM could not be met, a new date of January 2018 has been set. The lack of political will by African States, however, remains a prominent challenge to the realisation of the SAATM. As at June 2017, only twenty-one states had signed the commitment to actualise the decision creating the SAATM. In actualisation of the SAATM, a regulatory framework has been established to efficiently manage the new African airline industry, and regulatory texts have been adopted as part of the legal regime. This legal regime is to regulate both interstate and domestic operations. Airlines in Nigeria are currently faced with certain challenges which ultimately affect their effectiveness and passengers as well do not enjoy utmost customer satisfaction with services rendered by the airlines. Although Nigeria has demonstrated support for the SAATM since 2015, as Nigeria alongside ten other states, signed the initial commitment, whether or not SAATM will eventually be beneficial to airlines and passengers has become an issue in the light of the challenges of the Nigerian airline industry. Remarkably, the benefit of the SAATM is to a large extent ultimately determined by its legal framework. Using doctrinal research, this paper examines the legal implications of the SAATM on airlines and passengers in Nigeria. This paper analyses the legal framework of SAATM and juxtaposes this with the particular issues affecting airlines and passengers in Nigeria such as financial difficulties on the part of airlines and consumer protection as regards passengers. Among others, it can be asserted that the legal regime affords an opportunity for business expansion and creates a fair environment for competition. This is beneficial not only to the airlines but to passengers as well. In addition, in the interest of passengers, consumer rights are prescribed, and the regulations also cater for situations where airlines interrupt their services, as losses arising from these situations will be mitigated. There is indeed no doubt that the SAATM will be of great utility to both airlines and passengers in Nigeria.

**Keywords :** airlines, civil aviation, competition, consumer protection, passengers, single African air transport market, yamoussoukro decision

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