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**African Regional Review Meeting of the
Almaty Programme of Action**

**17 - 20 June 2008
Addis Ababa, Ethiopia**

R E P O R T

I. Introduction

1. The United Nations Economic Commission for Africa (ECA) in collaboration with the United Nations Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States (UN-OHRLLS) organised the African Regional Review Meeting of the Almaty Programme of Action (APoA) from 17-20 June 2008 at the United Nations Conference Centre in Addis Ababa, Ethiopia. The meeting was held in the context of the United Nations General Assembly resolution 61/212 that calls for a midterm review of the APoA in 2008, to be preceded by regional and substantive preparations. The objectives of the African review meeting were to assess the progress made in establishing efficient transit transport systems on the continent and to agree on what needs to be done to further galvanize global partnerships to assist African landlocked and transit developing countries to effectively implement the APoA.

II. Attendance

2. The following countries attended the meeting: Benin, Botswana, Burkina Faso, Burundi, Cameroon, Ethiopia, Kenya, Lesotho, Malawi, Mali, Mauritania, Niger, Rwanda, Senegal, Swaziland, Republic of Central Africa, Tanzania, Togo, Uganda, Zambia and Zimbabwe.

3. The following organizations also attended the meeting: Africa Union Commission AUC), Comité de Liaison de la Route Transsaharienne (CLRT), Commission Internationale du Bassin Congo-Oubangui-Sangha (CICOS), European Union Commission, Maritime Organisation of West and Central Africa (MOWCA), Southern African Railways Association (SARA), the Sub-Saharan African Transport Policy Programme (SSATP), United Nations Development Programme (UNDP), and Walvis Bay Corridor Group.

4. Observer countries present were: India, Italy, and the Russian Federation.

5. The full list of participants is attached as annex 1 to this report.

III. Pre-event: Seminar on International Treaties and Conventions in the area of Transit Trade held on Tuesday, 17 June 2008

6. The seminar on treaties and conventions preceded the main event.

Opening remarks of the seminar:

7. The following persons made remarks on the opening ceremony of the Pre-event Seminar: Mr. Emmanuel Nnandozie, Officer in Charge (OIC) of NEPAD and Regional Integration Division of ECA made welcoming remarks; Mr. Sandagdorj Erdenebileg from the UN-OHRLLS and Ms Sherry Holbrook from the Office of Legal Affairs explained the reasons for the seminar and the conduct of proceedings.

8. During the seminar, the representatives of UN-OHRLLS, UN Office of Legal Affairs, the Sub-Saharan African Transport Policy Programme (SSATP) and the African Union Commission (AUC) made presentations.

9. The representative of UN-OHRLLS made a presentation on the legal framework for transit transport cooperation. He indicated that conventions on transit issues can be grouped into two sets: international conventions on freedom of transit and the international conventions governing transit operations. He then highlighted the contents and the importance of these conventions. He said that very few African countries have signed or ratified these important conventions. In conclusion, he made an appeal to the member States to be part of these conventions and to implement them.

10. The representative of the UN Office of Legal Affairs made two presentations. The first was on the participation of countries in multilateral treaties and depositions with the UN Secretary-General. She informed the participants about the role and activities of the Treaty section of the UN Office of Legal Affairs, which among others, is to assist Member States in signing and becoming party to treaties. The Office is also a depository for the treaties and is in charge of publishing them. She indicated that Member States can benefit from the capacity building training programme the office offers.

11. The second presentation was on the registration of treaties under Article 102 of the UN Charter and legal and technical assistance offered by the UN Office of Legal Affairs. She mentioned that under Article 102 of the UN Charter, every treaty and international agreement entered into by any Member of the United Nations (after the present Charter comes into force) shall, as soon as possible, be registered with the Secretariat and published by it. She indicated the procedure and the benefits of registration and the assistance the legal office can provide to countries in that regard. More than 60 000 authentic texts of treaties are available from the site, she said. She provided information on the organisation of the website and on how to access it. The United Nations Treaty Collection (UNTC) website is <http://untreaty.un.org>; and can be accessed as follows: the user name is "treaties" and the password is "12345". She concluded by inviting all the participants to visit the website.

12. The representative of the Sub-Saharan African Transport Policy Programme (SSATP) made a presentation on the Review of Legal Instruments for Trade and Transport Facilitation in Sub-Saharan Africa. He outlined the key-points of his presentation as well as the work of SSATP. He then gave the reasons behind the facilitation instruments, which provide the legal frameworks for promoting freedom of transit as well as for developing regional transport infrastructure.

13. He presented a SSATP study carried out in 2004 on International Legal Instruments. He stated that there are three categories of instruments, namely worldwide conventions, regional instruments covering the whole of Africa and Sub-regional instruments such as the REC and corridor instruments.

14. He then highlighted some lessons learnt by the SSATP in working on these instruments. The treaties, conventions, protocols and other instruments, often either overlap or contradict each other. In drafting the instruments, the hierarchy is not respected. In some cases, the statutes include provisions extracted from an international convention that has not been accepted by other countries, which may result in conflict.

15. He concluded by saying that there is no shortage of legal instruments in Africa, but the challenge is the implementation and sometimes the lack of enforcement. Therefore, it is important to implement the legal instruments at the national level. It is equally important to simplify transit procedures to limit rent-seeking behaviour.

16. The representative of the African Union Commission made a presentation on the status of negotiations of the new UNCITRAL convention on the transportation of goods partly or entirely by sea.

17. He recalled the background and objectives of this new convention, which will replace the Hamburg Convention of 1978 that the majority of African countries have acceded. He said the latter represents a better instrument in terms of protecting the interest of shippers.

18. He emphasized the importance of the new convention that will govern the door-to-door carriage of goods, taking into account the most recent technical developments. It also provides solutions to the legal pitfalls highlighted by UNCITRAL in international transportation of goods by sea.

19. An appeal was made to land-locked States and transit States to become more involved in the drafting of this new convention to protect their interests as a country of shippers.

20. After the presentations, the participants made the following comments:

21. Participants identified several reasons why only few African countries are signatories to major international treaties and conventions related to transit transport and trade facilitation. For instance, they acknowledged that Ministries of Foreign Affairs are generally responsible for signing international conventions but are usually not involved in sectoral, national, sub-regional and regional dialogue related to such conventions. African Ministries of Foreign Affairs are rarely represented in capacity building workshops, trainings and other meetings in which issues related to international legal instruments on trade and transport facilitation are discussed.

22. Participants also pointed out that African countries are not sufficiently aware of the existence of the major international Treaties and Conventions nor informed of the key issues contained in them. This is partly due to lack of information. Moreover, they generally lack the capacity to analyse technical issues dealt with by major international treaties and conventions and to fully appreciate the implications of signing these instruments. It was felt that this partly explains why many African countries have adopted a prudent approach with regard to signing international treaties and conventions. It was also noted that most African countries are not associated with major treaties and conventions because they were not active participants in the negotiation processes nor find sufficient incentive to ratify or accede to them. In essence, the absence of a sense of ownership among African countries makes it difficult for them to ratify them.

23. Notwithstanding, participants reiterated that several stakeholders from a variety of sectors are involved in transit transport operations. They also noted the existence of a gap in coordination among key transit transport stakeholders in Africa and agreed that this constitutes a bottleneck in building consensus on whether or not relevant conventions should be signed.

24. The issue of compatibility between African trade and transport facilitation programmes and international legal instruments was also raised. In that regard, participants expressed the view that the provisions of major international treaties and conventions on transit related issues are already being implemented by African countries. This was being done through bilateral conventions, notably those between landlocked and transit countries, as well as within the framework of sub-regional and regional programmes and projects, including those of RECs and corridor management organisations.

25. The discussions revealed a number of concerns of landlocked countries, including the non-implementation of the provisions of signed conventions. For instance, landlocked countries continue to pay transit charges and containers on transit are still being opened and checked contrary to the provisions of most transit transport agreements. Landlocked countries are also reluctant to be parties to transit conventions of which their transit neighbours are not signatories.

26. The following recommendations emerged from the discussion:

- RECs should be more closely involved in sensitizing their member States on the importance of ratifying or acceding to international treaties and conventions. They should also play an important role in ensuring that transit agreements are fully implemented and in coordinating efforts by landlocked and transit countries with the view to ensuring that they ratify or accede to the same international conventions.
- RECs themselves need to be sensitised on issues related to international treaties and conventions. The UN system is therefore called upon to build the capacity of RECs in that regard.
- Member States should ensure coordination of the activities of the various ministries and authorities involved in the process of negotiating, ratifying or acceding to transit transport conventions and treaties as well as those affected by the provision of these legal instruments, notably the ministries of Transport, Foreign Affairs, Trade and Customs Authorities.
- The UN system should enhance its advocacy role and strengthen its efforts to sensitise African countries of the importance of major international conventions and treaties. UN Regional Commissions should play a lead role in raising awareness at regional level. Particular efforts should be made to strengthen and build capacity in the area of international Conventions and Treaties.

IV. African Regional Review Meeting of the Implementation of the Almaty Programme of Action 18-20 June 2008

1. Opening ceremony:

27. The following statements were made at the opening ceremony:

Statement by Mr Cheick Sidi Diarra, UN Under Secretary General, Special Advisor on Africa and High Representative of LDCs, LLDCs and SIDS

28. Mr. Check Sidi Diarra began by expressing his appreciation for the ECA's support and thanked participants for their interest in this important meeting. He mentioned that the meeting was the fourth being held as part of the Midterm Review of the Almaty Programme of Action. A similar meeting for Latin America would be held following the African Midterm Review. These regional review meetings are meant to bring regional perspectives to the review process and take into account regional peculiarities in the basket of the common challenges faced by Landlocked Developing Countries (LLDCs) and Transit Developing Countries (TDCs) around the world. Subsequent preparatory meetings and workshops to be held would ensure that the outcome of the High Level Review Meeting scheduled for 2nd and 3rd of October 2008 would be comprehensive.

29. Mr. Diarra also gave an account of the achievements made over the last five years in the implementation of the Almaty Programme of Action. He noted that in spite of progress made, there were still no significant improvements in the marginalisation of LDCs in the global economy.

30. Mr. Diarra reaffirmed the importance of African regional economic communities as a driving force in expanding regional markets and promoting the integration of landlocked and transit countries into the global economy. He further indicated that lessons learnt from the efforts of African regional economic communities in promoting trade and economic integration could be beneficial for Asia and Latin America.

31. In conclusion, Mr. Diarra expressed the desire for the meeting to come up with tangible recommendations to enhance the implementation of the Almaty Programme thus the integration of African landlocked and transit countries in the global trading system.

Statement by Mr. Abdoulie Janneh, UN Under Secretary General and Executive Secretary of ECA

32. Mr. Janneh began by welcoming distinguished guests and participants to the meeting and stressed on its importance to LLDCs and TDCs in Africa. He mentioned that the Almaty Programme of Action provided a global framework for cooperation among LLDCs and TDCs and for that, it is an essential component in their respective development agendas given the challenges they face.

33. He emphasized the importance of the review of the progress of the Almaty Programme of Action since its inception as called by the meeting. He pointed how the geographical location of LLDCs disadvantaged them and the implications on their neighbouring TDCs in terms of trade facilitation and transit transport issues.

34. Mr. Janneh then highlighted the complimentary nature of the Almaty Programme of Action and other initiatives such as the Sub-Saharan African Transport Policy Programme (SSATP), the NEPAD Infrastructure Programme, and Trade and Transport Facilitation Programmes of the Regional Economic Communities (RECs). He emphasized the need to strengthen the coherence of the various initiatives and interventions of the UN family and the AU on transport development and facilitation in order to ensure the success of the Almaty Programme of Action and the achievement of its objectives. He also emphasized the importance of the support of the international community in this regard.

35. In conclusion, Mr. Janneh emphasized the need to maintain the focus on results-oriented programs and projects, with measurable indicators and targets. Ultimately, progress in achieving the desired results could be measured in quantifiable and meaningful terms. The ECA would continue to work with its partners to assist member States in their efforts to implement and benefit from the Almaty Programme of Action, he said.

2. Election of the bureau and adoption of the work programme

36. The following bureau was elected:

Chair: Uganda
Vice Chair: Benin
Rapporteur: Botswana

37. The meeting adopted the programme of work attached as annex II

3. Working sessions:

38. The meeting discussed the status of implementation of the APoA in Africa as well as from a global perspective, and ways of leveraging new opportunities including the World Trade Organization (WTO) negotiations on Trade Facilitation and the Aid for Trade Initiative to implement the APoA.

3.1 Report on the Status of Implementation of the Almaty Programme of Action

Global perspectives, statement by UN-OHRLSS

39. In his statement, the representative of UN-OHRLSS provided an overview of the progress made in the implementation of the Almaty Programme of Action at the global level. He made reference to the two thematic meetings on transit transport infrastructure and on trade facilitation and to the regional review meetings held in Africa, Asia, Europe, and Latin America.

40. He stated that these preparatory meetings provided the building blocks for the midterm review. The meetings concluded that landlocked and transit developing countries have made significant progress in implementing the actions agreed in the Almaty Programme of Action. He stated that transit policy issues were top on the priority list of the development agenda. Another achievement cited was the resounding recognition of the special needs of landlocked developing countries in relation to transport infrastructure development and the stronger commitment of development partners in this regard. However, in spite of the positive developments, landlocked developing countries continued to remain vulnerable to changes in the global economy.

41. Landlocked and transit developing countries continue to undertake transit policy reform measures including privatization of railways, enforcement of comprehensive intergovernmental agreements, accession to multilateral transit conventions, greater collaboration of the public sector with the private sector and establishment of stronger institutional support arrangements. Many have formed transport and trade facilitation boards comprising various stakeholders to provide transport services. However inadequate infrastructure development continues to be a major obstacle for the economic development and integration of LLDCs into the global economy. Though telecommunication infrastructure in Africa is well below world standards mobile coverage has increased dramatically over the last seven years.

42. Progress in the area of trade and trade facilitation was noted. The percentage of exports of LLDCs that enjoy duty free access in developed markets has increased by more than 21%. Currently, 22 of the 31 LLDCs and 29 of the transit developing countries are members of the WTO. The challenge is that the economies of many of the countries are heavily dependent on few commodities, which exposes them to the volatile international market. In addition, delays in the transport of goods constrain trade efficiency. According to the World Bank's data on Doing Business, 10 LLDCs rank in the bottom ten in terms of difficulties affecting trade. Although transit delays and costs have been reduced in some regions in Africa, they remain relatively high. The report highlighted that custom procedures and transport cost constitute the bulk of cost in external trade reducing the competitiveness of the exports of African landlocked countries.

43. International support (both multilateral and bilateral) for transit transport development programs has increased since 2002 however there is still need to significantly scale up funding for regional infrastructure.

African perspectives; presentation by UNECA

44. The representative of ECA gave an update on the progress of the implementation of APoA in Africa. She said that the data were obtained mainly from studies conducted by ECA in 2008 on the status of transport in Africa and on the provisional report on the state of implementation of APoA. The presentation focused on the priority areas of APoA, which are: fundamental transit policy issues, infrastructure development and maintenance, trade facilitation in particular the international trade and international support measures.

45. On the fundamental problems relating to transit policy, she gave a historic account of the transit transport policy existing in Africa mainly in the various treaties of RECs. RECs have also introduced many instruments to facilitate the free movement of goods and people, but it is their effective implementation, which poses problems.

46. With regard to infrastructure and trade facilitation, she reviewed the numerous efforts that have been made particularly in the fields of road transport, air transport and ports, where many activities were entrusted to the private sector. With respect to rail and inland water transport, very few actions have been carried out. However, she indicated that the lack of reliable data did not allow for an exhaustive account of the situation.

47. She also highlighted the challenges faced in different areas, the most common being lack of access, high cost of services, lack of safety and security and the financing weakness.

48. She then highlighted some ongoing international support measures, particularly at the continental level.

49. The ECA representative concluded with some recommendations among which were the need for LLDCs and TDCs to remove physical and non-physical barriers and implement facilitation measures. She also mentioned the need to improve the maintenance of transit infrastructure, the construction of missing links of transit routes, and security measures as well as to establish a forum for dialogue between different actors on transport corridors. The strengthening of RECs and the private sector, the development of performance indicators and the establishment of a permanent system of data collection were also part of the recommendations. With regard to development partners, she emphasized the need for them to lend support to APoA popularisation and sensitisation efforts and provide assistance for countries to integrate APoA into their national development programme and implement it.

50. Other African subregional organizations made presentations on their respective experiences in infrastructure development and trade facilitation. The organisations that intervened included Walvis Bay Corridor; Comité de Liaison de la Route Trans-Saharienne; Southern African Railways Association; KIFWA, and CICOS.

51. The topic attracted a lengthy discussion. The following views and proposals emerged from the discussion:

52. African countries, at varying degree, are implementing the recommendations of the Almaty Programme of Action (APoA) through various national, bilateral, sub-regional and regional initiatives. However, several key stakeholders including government ministries, the private sector, and customs authorities are not sufficiently aware of the programme. Participants partly attributed the lack of awareness to the absence of an effective communication mechanism for sharing vital information between the different stakeholders of the programme. They suggested a number of ways to raise awareness of the APoA at the national level, including the organization of sensitisation seminars and nomination of APoA focal points who preferably should be the same as SSATP focal points. In addition to playing an important coordinating role, the focal point would also provide a follow-up mechanism for the APoA.

53. Participants unanimously agreed that the private sector has an important role to play in the implementation of the APoA. It was also agreed that including the private sector in decision-making and policy formulation on trade and transit transport issues would facilitate the implementation process. In particular, the private sector and civil society could play an important role in monitoring progress on the free movement of people and goods along transit transport corridors. However, participants acknowledged that the sector is quite weak in some African countries and would need to be strengthened to make a substantial contribution to the achievement of the APoA.

54. Inadequate infrastructure including the deterioration of existing stocks remains a major bottleneck to trade in Africa. Although railways and inland waterways could be more economical than roads for transit transport, they attract less financial support and remain relatively underdeveloped. Similarly, participants observed that pipelines could alleviate the rapid deterioration of regional roads by serving as alternatives to heavy goods vehicles transporting petroleum products and thus significantly reducing the load on the roads. However, it was noted that roads would always remain important for transportation of goods and persons.

55. It was pointed out that some of the non-physical barriers such as numerous checkpoints common in road corridors could be avoided by using railways. It was also pointed out that checkpoints are also prevalent in inland waterways, notably in Central Africa where infrastructure development continues to remain a major challenge. Participants noted that the Central African region has a comprehensive transport master plan and a strategic action plan for the promotion of inland waterways and encouraged the donor community to scale up support for the implementation of the plan. In general, it was felt that Public-Private Partnerships could bridge financial gaps in infrastructure development. However, participants cautioned that this was not a panacea and cited cases where railways and port concessions have performed below expectation.

56. Participants noted that most African landlocked countries have signed separate customs and border agreements with their transit neighbours with the view to facilitating international trade. However, they agreed that shifting from bilateral to regional agreements would result in efficiency gains. In that regard, they underscored the importance of RECs and their indispensable role towards achieving the objectives of the APoA, given that RECs are at the forefront of trade and transport facilitation in Africa.

57. Some African countries have made efforts to improve the legal aspects of transit transport. To that end, they have introduced legislation on issues such as multimodal transport and the establishment of dry ports. Participants acknowledged that implementing such legislation, and indeed commitments from international agreements, remains a major challenge to African countries. They noted the interest of development partners to offer support in that regard and called on the UN system to facilitate access to available donor support including by providing assistance in linking African countries with potential donors.

58. Participants underscored the importance of developing indicators and databases for tracking improvements in transit transport systems. In that regard, they commended SSATP for developing a methodology for measuring transit corridor performance and took note of similar tools developed by institutions such as the World Bank and the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP). However, they indicated the need for more work to be done in developing sustainable corridor performance monitoring systems.

59. The meeting noted that political instability reverses gains in trade facilitation. Participants acknowledged that landlocked countries are particularly vulnerable, as their trade is not only hampered when they face internal crisis but also when such crisis destroy trade infrastructure and disrupt transit operations in neighboring transit countries.

60. The following recommendations emerged from the deliberation:

- The UN system and the African Union (AU) should strengthen their advocacy activities on the APoA. Efforts should be made to sensitise all relevant government ministries and authorities at the highest levels. The private sector and civil society should also be sensitised.
- Member States should nominate national focal points for the APoA. To ensure coherence in trade and transport facilitation activities within countries, the focal points should preferably be the same as the national SSATP focal points.
- Member States should involve the private sector in the formulation and implementation of trade and transport facilitation programmes including the implementation of the APoA. The private sector and civil society should be active participants in the dialogue on trade and transport facilitation and not as observers.
- The UN system and donor community should assist in strengthening the private sector to ensure that they play an active role in the implementation of the APoA.
- The regional approach to addressing transit transport problems in Africa should be encouraged and RECs have an important role to play in that regard. Their trade and transport facilitation programmes should therefore be strengthened.
- ECA and UN-OHRLLS should ensure the participation of RECs in APoA meetings.

- African countries are not competitive in the global economy because of high transport costs. They should therefore seek to develop more economical modes of transport such as railways and inland waterways.
- To the extent possible, pipelines should be constructed in order to alleviate the deterioration of regional road networks due to excessive load.
- The UN system should assist member States in accessing available resources for improving infrastructure development as well as trade and transport facilitation

3.2 Leveraging WTO Negotiations on Trade Facilitation and the Aid for Trade Initiative to Operationalise the Almaty Programme of Action

Leveraging WTO Negotiations on Trade Facilitation

61. A representative of ECA made a presentation on how to leverage WTO negotiations in operationalising the Almaty Programme of Action. After reviewing the key features of WTO negotiations on trade facilitation including Africa's position, he highlighted the coherence and the relationship between the Almaty programme of Action and the WTO negotiations on trade facilitation. He then dwelled on the policy implications for leveraging WTO negotiations in operationalising Almaty Programme of Action. In conclusion, he recalled the similarity of objectives and the complementarities existing between both processes, which provide a good opportunity for operationalising the Almaty Programme of Action in the context of the WTO process.

Aid for Trade Initiative

62. A representative of ECA made a presentation on the relationships between the Aid for Trade initiative and the Almaty Programme of Action. After introducing the African consensus on the importance of Africa's integration into the global economy, the presenter covered the major internal and external challenges to international trade in Africa, which included weak supply side capacities, transportation infrastructure, trade facilitation, market access and price distorting issues among other things. Then, he highlighted the importance of Aid for Trade as a catalyst for integration and the outcome of the African review on this initiative, which translated into three priorities for the continent namely: infrastructure, trade facilitation and standards. The presenter then emphasized on the coherence and linkages between the Aid for Trade Initiative and the Almaty Programme of Action. He highlighted some Almaty Programme of Action recommendations that could be considered under the Aid for Trade Initiative. These recommendations cover transit policy issues, infrastructure development and maintenance and international trade and trade facilitation. In conclusion, he informed the meeting about ECA strategy and 2008-action plan for Aid for Trade.

63. Participants commended ECA for its pioneering work on the coherence between the APoA and the World Trade Organisation (WTO) negotiations on trade facilitation, as well as on the linkages between the programme and the Aid for Trade Initiative. Participants agreed that WTO negotiations on trade facilitation and the Aid for Trade Initiative provide new opportunities to operationalise the APoA. They noted the complementarities between the APoA and the two initiatives and agreed, as indicated by the ECA studies, that the specific actions recommended by the

programme qualify for WTO technical assistance and capacity building and that they should, to the extent possible, also be included in Aid for Trade action plans.

64. In light of this, participants recommended as follows:

- ECA and its African Trade Policy Centre (ATPC) should disseminate and present the report of its studies on leveraging WTO negotiations on trade facilitation and the Aid for Trade Initiative to operationalise the APoA to African trade negotiators based in Geneva and Brussels as well as to those based in the capitals.
- UN-OHRLLS should support efforts to raise awareness of the coherence between the APoA and the WTO negotiations on trade facilitation as well as between the programme and the Aid for Trade Initiative.
- ECA and UN-OHRLLS should assist African countries and RECs in mainstreaming the APoA in national and regional Aid for Trade Action plans.

3.3 Priority 1: Fundamental transit policy issues

65. Under this item, the following countries made presentations on their experiences: Benin, Burundi, Swaziland and Togo

66. Interstate harmonization of technical issues relating to transit transport facilitation is being addressed at the REC level. The various African Sub-regional institutions, notably, COMESA, EAC, ECCAS, SADC, ECOWAS, UEMOA, CEMAC, and IGAD continue to play an important role in promoting transit transport cooperation in Africa through the designing and the implementation of the following instruments: a) harmonization of axle load limits; b) carrier license and transit plates; c) harmonized road transit charges; d) regional customs bond; e) road customs transit declaration document; f) third party motor insurance schemes, g) inter-state road convention; h) convention relating to customs transit; i) and implementation of ICT initiatives. While progress is slow in some areas, there have been tremendous achievements in several of the above areas.

67. Given the overlaps in REC-membership, it is important for the various RECs to harmonize their activities. This is already happening at the technical level where RECs have established structures for collaboration. They have for instance established a REC-Transport Coordinating Committee (REC-TCC) under the auspices of the SSATP. This is a committee that allows all the RECs to share knowledge and information, on their transport activities.

68. Nonetheless, the challenge remains that of ensuring uniform and effective implementation of regional instruments by member countries. The onus is on the Member countries to put into operation in their territories the various regional instruments that would greatly contribute to the realization of APoA objectives. RECs and other players, including UNECA, SSATP, and USAID Trade Hubs should provide technical support. Where necessary, the international community should provide financial and technical assistance.

69. All transport and logistics chains by nature require collaboration between various political, economic, and social sectors. It is therefore imperative that the various players adopt coherent and integrated approaches. African states should establish and where in existence, sustain arrangements and fora where both the public and private sector, across various disciplines can all contribute to addressing transit facilitation issues. The facilitation committees in West and Central Africa and corridor groups in Eastern and Southern Africa are already constituted on this basis. The member States and RECs need to provide sustainable funding mechanisms for these important consultative fora.

70. The development of infrastructure and transport services to underpin transit facilitation in Africa is, in some cases, hampered by low volumes of traffic. The low volumes compromise the economic viability of infrastructure improvements, resulting in a vicious cycle. Responding to this challenge necessarily requires various players to collaborate to build volumes. Examples of areas where this has been done successfully include the corridors linked to the Port of Walvis Bay and also in Swaziland where the various shippers and other stakeholders of international trade have realized the need to cooperate for their mutual benefit. A related area that has been identified in recent studies as requiring attention relates to the regulation of and practices in the transit transport markets. Measures should be taken to reduce rent seeking behavior especially in Central and West Africa and port and border delays in Eastern and Southern Africa. Some of the behaviors and delays make significant distortions and contributions to transit costs.

71. Effective participation of key stakeholders, both public and private, is important to transit facilitation. The private sector in particular has a major role to play as the primary beneficiary of the various facilitation efforts and as a service provider. As such, the private sector should be involved in discussions on policy interventions and appropriate management groups relating to corridors. There are already several areas where the private sector is playing this role, including railway, port and road concessions, corridor management groups and other consultative bodies. At both national and regional levels, the various relevant national and regional private sector associations should be given room to make meaningful contributions to the facilitation efforts.

72. The cost of trade remains high in Africa. This is due to various factors including poor infrastructure, procedures, and regulatory regimes. There is an urgent need for the development of sound and sustainable data management systems to keep track of trends and to assess the impact of interventions. In this regard, the SSATP has prepared a practicable method to monitor corridor performance as well as to monitor specific points known to be constrictions along a corridor. The methodology has been applied on the Northern Corridor and at the Beit Bridge and Chirundu border posts on the North South Corridor where data related to delays and costs were collected. The ECA is planning to undertake a similar exercise on the Ethiopia-Djibouti Corridor. In Central and West Africa, RECs have collaborated with USAID, GTZ and SSATP to collect data on informal practices and checkpoints. The data collected provide an excellent basis for motivating change, and a baseline for measuring impact of efforts to improve Corridor performance in line with APoA. As such, there should be systematic data collection on all corridors, using the available methodologies and indicators for consistency and comparison of outputs.

73. An integrated institutional structure is important to drive and monitor implementation of APoA. Steps have been taken to create such structures in Africa although existing institutions need strengthening. In West Africa, several countries have established National Facilitation Committees. The committees, designed to include both the public and private sectors, are intended to champion reforms at national level. Such committees offer potential to bridge the gap that often exists between the national and regional levels. In Eastern and Southern Africa, there already exist several corridor institutions e.g. for the Northern, Maputo, Walvis Bay and Dar es Salaam corridors. The corridor bodies have proved effective in highlighting operational constraints and proposing solutions. The various sub-regions can therefore learn different lessons from each other. However, both the national committees and corridor groups are hampered by a lack of resources for their operations. This is an area that requires the support of the states, RECs and development partners. The SSATP recently prepared a guidance note on how to establish, and support the corridor groups. Based on this, efforts are already underway on several corridors to establish such groups, including the North-South Corridor in Southern Africa with support from COMESA, SADC and SSATP, the Ethiopia-Djibouti Corridor on which ECA has started to support facilitation efforts, the Tema-Ouagadougou-Bamako Corridor with support from ADB, UEMOA, ECOWAS and SSATP, and the Point Noire-Brazzaville/Matadi-Kinshasa-Bangui Corridor, which includes inland waterways and is supported by CICOS and SSATP.

74. The institutional arrangements at the sub-regional and continental levels are firmly established through RECs and the African Union. Examples of sub-regional arrangements include the UEMOA Joint Technical Committee, ECOWAS Regional Facilitation Committees and the SADC and COMESA technical committees. These provide important policy and technical oversight to the general facilitation programmes.

75. While various organizations may be implementing activities consistent with APoA, more could be achieved by raising the profile of the program. This should be part of the necessary broad training and capacity building program on transit facilitation in Africa. Special emphasis should be accorded to facilitating the ratification, accession and implementation of key regional agreements and international conventions to buttress the facilitation efforts.

3.4 Priority 2: Infrastructure development and maintenance

76. Zambia, Burkina Faso and Malawi made presentations.

77. Developing an integrated transport network in Africa is crucial for the continent's trade with other regions of the world as well as for enhancing intra-African trade. However, inadequate infrastructure remains a major obstacle to establishing efficient transit transport systems in African countries. The deterioration of existing transport infrastructure also remains a general problem that affects both landlocked and transit countries. The Trans African Highways (TAH), which is the main regional transport network on the continent, continues to have several missing links. Overall, inadequate infrastructure remains a contributing factor to the continent's high transport costs and marginalisation in the global economy.

78. With the establishment of road funds in several African countries, increased efforts to maintain existing road infrastructure has been observed. There has also been an increase in efforts to raise awareness of the importance of railways and inland waterways as cheaper alternatives to road transport. The Central African region that has the weakest infrastructure network on the continent has demonstrated its intention to scale up development of its inland waterways through the creation of CICOS. Indeed, inland waterways are part of a comprehensive transport master plan developed for the sub-region and indeed specific strategic action plan has been prepared for the development of the sub sector.

79. Regarding railways, although the density remains low in Africa, a few new lines are being constructed. For instance, Namibia is in the process of constructing a new railway line of about 310km that extends to its border with Angola. The project is being funded by the Government of the Republic of Namibia and the line will be linked to the railway network in southern Angola.

80. The magnitude of investment required to develop reliable transit transport infrastructure in Africa suggests the need to explore innovative financing mechanisms including the use of Public-Private Partnerships (PPPs). It also requires forging sub-regional and regional cooperation on infrastructure projects. To that end, efforts need to be intensified to enhance collaboration between African countries on cross border projects. Concerning PPPs, the private sector is already participating in transport infrastructure development through concessions, mostly of railways and port terminals. This is a common practice in the SADC region where Malawi, Mozambique, Tanzania, Zambia and Zimbabwe all have ongoing railways concessions.

81. Recently, there have been concerns on the performance of concessions implemented in SADC. In view of that, SADC has commissioned a study to assess the effectiveness of these concessions. Similar concerns have been raised on railways concessions in East Africa, including Kenya and Uganda as well as in West Africa including Mali and Senegal. One of the reasons identified for the disappointing performance of some concessions is the absence of appropriate regulatory institutions and oversight mechanisms. Cases have also been reported where the companies involved are not committing as much resources as agreed in infrastructure development. Generally, African countries recognize the need to build their capacity to participate effectively in negotiations of concessions.

82. Some progress has also been observed in infrastructure development related to transit transport in West Africa. For instance, Burkina Faso has been involved in the construction of a number of dry ports. One of these ports was constructed in collaboration with Côte d'Ivoire, and will also serve neighbouring Niger. Another dry port being developed by Burkina Faso would be linked to the seaports of Tema and Takoradi in Ghana by railways. In Ethiopia, the construction of a dry port on the gateway to Djibouti is underway; the Dry Port Services Administration has been set up.

83. Recommendations:

- Member States should have clear policy statements identifying the critical role of transport infrastructure to trade and economic development in general. They should also allocate adequate resources to the construction, rehabilitation and maintenance of transit transport infrastructure.
- Concerned countries should sign an intergovernmental agreement on the TAH with the view to accelerating its full implementation. A binding agreement will facilitate pooling together available resources and attracting priority attention to TAH sections in national development plans. Among other issues, the agreement should specify parameters for the TAH routes including standards and axle load limits and control mechanism.
- ECA, AU, AfDB, World Bank, UN-OHRLLS and other development partners should support efforts to elaborate and conclude the intergovernmental agreement on TAH.
- The UN system and donor community should support African countries in promoting dialogue and sharing experiences on transit transport issues including infrastructure development. This could be by establishing a transport knowledge network to share information related to APoA.
- Member States should develop strategies for negotiating new concessions or renegotiating existing ones. In this regard, they should strengthen their capacity to participate effectively in the negotiation process and in designing PPP agreements in general.
- Member States should promote integrated road/rail/inland waterways networks.
- Efforts should be made to establish a Peer learning Group on Transport and Trade Facilitation.

3.5 Priority 3: International trade and trade facilitation

84. Presentations were made by Mali, Niger and Uganda

85. Several African landlocked countries have developed bilateral agreements with their coastal neighbors to improve trade facilitation. They also try to use opportunities available within multilateral agreements to which they are party (e.g. WTO) to enhance their trade facilitation efforts. A number of projects have also been developed or planned to improve transport infrastructure linking the landlocked countries to the coastal outlets. In this context, some countries endowed with important natural resource reserves are exploring ways and means of improving their infrastructure networks including through extensions or upgrading of railway systems, in order to enable them fully exploit these resources.

86. Furthermore, efforts are being pursued either through existing corridor management mechanisms or under the auspices of the RECs, to implement a number of trade facilitation measures. These measures include adherence to axle load limits, establishment of one-stop border post, simplification and harmonization of transit charges, customs documentation, procedures and nomenclatures, removal of roadblocks, establishment of cargo tracking systems, and other measures to reduce transit delays. Similarly, the establishment of observatories of abnormal practices as

surveillance and monitoring mechanisms is helping to reduce or minimize the incidence of rent seeking and other unacceptable practices along transit routes.

87. In spite of efforts made, the existence of numerous checkpoints and overloading remain areas of concern for some transit corridors. Insecurity is also a major concern for certain corridors, and hinders the free flow of goods and services. In addition, some countries fail to fully implement transit agreements, hampering regional integration efforts in general.

88. Recommendations:

- Member States need to remove all forms of physical and non-physical barriers to trade and provide maximum support to corridor management mechanisms.
- RECs, with the support of the international community, should implement their regional customs transit systems as a matter of urgency.
- There is a need for transit countries to continue to reduce transit times at the ports and promote the use of cargo tracking systems. They should also continue to improve port capacity, notably the expansion of container handling capacity. In addition, port communities should be established or strengthened.
- Landlocked and transit countries should negotiate terms and conditions for establishment of dry ports in landlocked developing countries to which shipping companies can issue their own import and export bills of lading.
- Transit countries, which have not done so, should consider negotiating and granting duty free zones adjacent to maritime ports.
- Member States should improve the layout of infrastructure at borders and introduce shared facilities for the implementation of the “single windows” concept. They should also improve basic utilities at border posts and ports as well as inter-agency coordination of all border control service.
- Member States should negotiate mutually beneficial terms and conditions under which custom/police escorts of transit traffic would be removed or minimized.
- Member States should harmonise road transit charges and publish such charges and fees.
- Member States should seriously consider acceding to international conventions related to trade facilitation.
- Member States should ensure the use of automated systems particularly the inter-face between and among the transport and trade communities

3.6 Priority 4: International support measures

89. Cameroon made a presentation.

90. The APoA recognizes that the construction and maintenance of efficient transport systems require very intensive capital that landlocked and transit developing countries cannot provide. Specific measures are required to address this difficulty including: resource mobilization at international scale; provision of financial and technical assistance to landlocked and transit countries; promotion of private sector participation in infrastructure; and targeted capacity building activities.

- During the period under review, major activities aimed at mobilizing financial support for Africa's infrastructure development were undertaken including meetings between the AUC and various partners. Key infrastructure development initiatives on the continent include:
- The New Partnership for Africa's Development (NEPAD) Infrastructure Programme whose major priority is the development and improvement of transport, energy, water and sanitation, and ICT infrastructures.
- The development of a framework for coordination of regional actions by the AUC, NEPAD, AfDB, and ECA;
- The PPDIA project on Africa's infrastructure development, a coordinated programme between AUC, AfDB and NEPAD to be launched in Addis Ababa, on 16 July 2008, that aims to identify integrative projects at the continent level, prioritize and classify them hierarchically, and define continental policies on infrastructure.
- The Infrastructure Consortium for Africa, which provides a platform for donors to accelerate resource mobilization for financing infrastructure projects. The sum of US\$5 billion has already been mobilized in that regard.
- The EU-Africa Infrastructure and Energy Partnership. Priority projects to be funded by this partnership include: implementation of the Yamoussoukro Decision; projects for integrated bridge development and maintenance; development of missing links of regional transport corridors, interconnected Mail Network; the Inga dam project; and the EASSY project, among others.
- The Africa-India Partnership, which has initiated a "VSAT-based Pan African eNetwork".

92. Other partnerships are being explored in Africa, including the Africa-South America, Africa-Turkey, and Africa-Iran.

93. The ongoing Europe-Africa dialogue, UN Secretary General's Committee on Africa's needs assessment, and UNDP programme on capacity development for pro-poor growth and accountability, also constitute very relevant initiatives towards the implementation of the APoA.

94. Recommendations:

- The impending review of the Monterrey Consensus and the Paris Declaration on Aid Effectiveness offer unique opportunities for the international community, and in particular the transit and landlocked countries to address their specific infrastructure development and other special needs towards the implementation of the APoA. In this regard, the UN-OHRLLS, other UN agencies and AU should complement the awareness-raising efforts of member States.
- There is need to explore donor financing for the replacement and refurbishment of old and unserviceable vehicles that are inefficient and harmful to the environment.
- There is need to put more emphasis on how to enhance financing mechanisms at various levels.
- There is need for the establishment and equipping of corridor surveillance centres with relevant information reception and dissemination gadgets.
- There is need to put in place appropriate security measures along the transport corridors.
- There is a need for capacity building.

Priority 5: Implementation and Review

95. Implementation and review, under the overall coordination of the UN-OHRLLS, constitute a priority area of the APoA. The midterm review of the APoA will take place on 2 and 3 October 2008 at the 63rd session of the UN General Assembly in New York. Preparations for the midterm review have included the thematic meeting on Transit Transport Infrastructure Development held in Ouagadougou, Burkina Faso from 18-20 June 2007; the thematic meeting on International Trade and Trade Facilitation held in Ulaanbaatar, Mongolia from 28-31 August 2007; the Asia/Europe Regional Review held from 22-24 April 2008; the present African Review (17-20 June 2008); and the Latin American Regional Review planned for 30 June 2008. Several High-level pre-conference and side events, are being convened to raise the profile and awareness of Midterm Review and the special needs of LLDCs

MDG Steering Group

96. The Meeting commended the Secretary General of the United Nations, for establishing the MDG Steering Group for Africa to mobilize greater and well-coordinated technical support and financial resources for the attainment of the MDGs.

V. Closure of the meeting

97. The meeting was closed by Mr. Cheick Sidi Diarra, UN Under Secretary General, Special Advisor on Africa and High Representative of LDCs, LLDCs and SIDS, Emmanuel Nnadozie, OIC of NRID, on behalf of the Executive Secretary of ECA and the Chair of the meeting, Hon. Ejua Simon, Minister of State for Works and Transport in charge of Transport (Republic of Uganda). In his closing remarks, all of them thanked the member States, the organizations and the international institutions and the development partners who attended the meeting for effectively participating in the review. They assured the meeting that UN-OHRLLS and ECA welcomed the recommendations reached at the meeting and would help to ensure their implementation by all concerned parties.

98. Done in Addis Ababa on 20 June 2008

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PROVISIONAL PROGRAMME OF WORK

Tuesday, 17 June 2008: Pre-conference event: Seminar on Treaties and Conventions

Morning session

- 09:00 - 10:00 Registration
- 10:00 – 10:30: Opening session of the pre-conference event
- Statement by Mr. Emmanuel Nnadozie, OIC of NEPAD and Regional Integration Division.
 - Introductory Remarks by the Representative from UN-OHRLLS/Office of Legal Affairs
- 10:30 – 11:30 - Seminar on treaty law to assist LLDCs and transit developing countries to accede to major international transit transport conventions. By UN-OHRLLS and Office of Legal Affairs
- 11:30 – 11:45 - Coffee break**
- 11:45 – 12:45: - Seminar on treaty law to assist LLDCs and transit developing countries to accede to major international transit transport conventions. (Cont.) *By UN-OHRLLS and Office of Legal Affairs*
- 12:45 – 15:00 - Lunch break**
- ### **Afternoon session**
- 15:00 – 16:15 - Seminar on treaty law to assist LLDCs and transit developing countries to accede to major international transit transport conventions. *By UN-OHRLLS and Office of Legal Affairs*
- 16:15 – 16:30 - Coffee break**
- 16:30 – 17:45 - Other presentations on treaties and conventions. (SSATP, AUC)

Wednesday 18 June – Friday 20 June 2008

African Regional Review Meeting of the Implementation of the Almaty Programme of Action

Wednesday, 18 June 2008

Morning session

- 10.00 – 10:45 - Opening Remarks
- Statement by Dr Elham Mahmoud Ahmed Ibrahim (Mrs),
Commissioner for Infrastructure and Energy, AUC
 - Statement by Mr Cheick Sidi Diarra, UN Under Secretary General,
Special Advisor on Africa and High Representative of LDCs, LLDCs
and SIDS
 - Statement by Mr. Abdoulie Janneh, UN Under Secretary General and
Executive Secretary of ECA
 - Adoption of Agenda and Programme of work

10:45 – 11:00 - Coffee break

- 11:00 – 11:15 - Election of the Bureau
- 11:15 – 11:30 - Adoption of the Agenda and Programme of Work
- 11:30 – 13:00 - Report on the status of the implementation of the Almaty Programme of Action.
- Global perspectives (*By UN-OHRLLS*)
 - African perspectives/African Plan of Action (*By ECA Secretariat*)
 - *Discussions*

13:00 – 14:30 - Lunch break

Afternoon session

- 14:30 – 16:00 - Experiences on trade facilitation and infrastructure development
- Presentations by sub-regional transport and trade
facilitation organisations
 - Discussions

- 16:00 – 16:15 - Coffee break**
- 16:15 – 17:30 - Leveraging WTO negotiations on trade facilitation to operationalise the Almaty Programme of Action (By ECA Secretariat) Aid for Trade Initiative (By ECA secretariat)
 - *Discussions*
- 18:30 - **Reception**

Thursday, 19 June 2008

Morning session

- 9.30 - 10.45 - Fundamental transit policy issues (*Introduction* of the key issues by Charles Kunaka, SSATP, and experiences from member States)

10:45 - 11 .00 - Coffee Break

- 11:00 – 12.30 - Infrastructure development and maintenance (Introduction of the key issues by ECA Secretariat and experiences from member States)

12.30 – 14.30 - Lunch break

Afternoon session

- 14.30 – 15.15 - International trade and trade facilitation ((Introduction of the key issues by ECA Secretariat and experiences from member States)

- 15.15 – 16.00 - International support measures ((Introduction of the key issues by the African Union Commission and experiences from member States)

- 16.00 – 16.30 - Implementation and review ((Introduction of the key *issues* by UN-OHRLSSr and experiences from member States)

16. 30 – 16.45 - Coffee Break

- 16:45 – 17:30 - Wrap up of the session

Friday, 20 June 2008

- 9.00 - 13:00 - Preparation of the draft report by the Secretariat
- 16:00 – 17:00 - Adoption of the draft report of the meeting
- 17:00 – 18:00 - Closing Remarks