Book Review VIII: The Air Transport Industry in Africa: A Legal Analysis of the Single African Air Transport Market (Routledge, 2025) — Reimagining African Aviation Liberalization: Law, Institutions, and Political Economy in SAATM

By:

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The liberalisation of air transport has long been framed as a cornerstone of Africa's economic integration agenda. From the early aspirations of the Yamoussoukro Declaration to the contemporary ambitions of the Single African Air Transport Market (SAATM), African states have repeatedly acknowledged the centrality of aviation to trade, mobility, and development. Yet, progress has remained uneven and contested. The book situates African aviation

liberalisation within broader debates in international economic law and Global South regionalism, arguing that implementation failures stem not from weak legal texts but from institutional design and political economy constraints.

The political economy aspect of the analysis examines how aviation liberalization has distributional effects and how the political economy influences the behavior of the state. African countries have different incentives regarding SAATM implementation based on factors such as the size and strength of their airlines and infrastructure. While some countries see liberalization as a means of enhancing connectivity and realizing economic spill overs, others are wary of market primacy through larger airlines. This research illustrates how inequalities in costs and benefits create ambiguity in implementation targeting certain levels of liberalization. The intervention of third parties in the aviation industry such as foreign airlines and financial institutions is also discussed. In terms of methodology, the research uses a qualitative doctrinal and political economy methodology. This includes, among other sources, a resort to legal texts, policy documents, institutional reports, and existing literature. This provides a rounded analysis of how different forces interact to produce outcomes in relation to aviation governance in Africa. From the abstract, a properly informed liberalization process is one which needs to be properly aligned, and not piecemeal. Commitments also need to be underpinned by credible institutions, and support will need to be engendered through mechanisms which will answer distributional issues.

The study makes an important contribution to regional integration, sectoral liberalism, and development governance in Africa by providing a holistic approach to the opportunities and challenges within SAATM. It argues that for a new vision in the aviation liberalism agenda in Africa, one needs to focus on the challenges and look beyond the adoption and the notion of enhanced institutional development and progressive action and adjustment through political negotiation in Africa’s development context. Of course, the debate is relevant to development governance in Africa, and one needs to consider the relevance to development in the aviation context in Africa. African aviation is located at the heart of the broader agenda of the continent's economic integration, development, and globalization. Air transport is not just about mobility but a driver for trade facilitation, tourism growth, regional value chains, and socio-economic transformation. Despite this potential, Africa

remains one of the least connected regions in the world, with high airfares, few direct routes, and underdeveloped markets. These structural inefficiencies are, to a great extent, a creation of restrictive regulatory regimes, protectionist state policies, weak institutions, and entrenched political interests that have traditionally impeded aviation liberalization. The establishment of the Single African Air Transport Market under the African Union is perhaps an ambitious attempt to overcome these challenges by creating a single, liberalized air transport market across the continent.

This book rethinks African aviation liberalization through the critical examination of the legal foundation, institutional arrangement, and the political economy dynamics that frame the implementation and prospects of the Single African Air Transport Market. At the legal level, SAATM is underpinned by the Yamoussoukro Decision of 1999, "which aimed at liberalizing intra-African air transport services by removing restrictions on market access, capacity, frequency, and tariffs." The Yamoussoukro Decision made a decisive break with bilateral air service agreements in favour of a multilateral regime based on competition and open skies in Africa. Launched in 2018, SAATM operationalizes this commitment with an implementation mechanism in line with the African Union's Agenda 2063. Yet, the legal efficacy of SAATM is still debated. While the Yamoussoukro Decision and other related AU instruments contain liberalization principles clearly enunciated, weak enforcement mechanisms and limited supranational authority are major drawbacks. Compliance thereby largely depends on voluntary state commitment, which also varies significantly among its member states. Furthermore, regional economic communities create overlapping legal regimes that contribute to fragmentation and legal uncertainty in the uniform application of SAATM rules.

Institutionally, the process of liberalization within the aviation sector in Africa can be seen to be laden with a complex web of actors which operate within a continental, regional, and national framework. These actors are organized around key institutions such as the African Union Commission, African Civil Aviation Commission (AFCAC), economic communities within the regions, national civil aviation authorities, and aviation operators within the airport services. For instance, a key player, the African Civil Aviation Commission, has been assigned the function of being the executive agency for SAATM. This, however, suffers from institutional capacity weaknesses and limitations in

terms of effectiveness. National civil aviation authorities lack capacity in terms of technological know-how, as well as economic capacity, required for liberalization carry-through, regulating competition, as well as all elements pertaining to aviation safety measures. This essay submits that, with weak institutional integration, capacity, and allocation, SAATM becomes a mere symbolic integration measure for a radical transformational tool.

The political economy of African aviation liberalization is perhaps the most daunting challenge in SAATM's success. The aviation sector is deeply entrenched in the political and economic systems of countries worldwide, whereby their aviation sectors are perceived to be emblematic of sovereignty and national identity. The African countries are also wary of liberalizing their aviation sectors fully since this will lead to the relinquishing of control of the strategic sectors. This challenge is most apparent in countries that are small in aviation since there is a threat that the aviation sectors will be overtaken by rival countries that are well-financed. In this regard, there are countries that are opposing SAATM by employing strategies such as differentiated application of rules of SAATM. The fact that the benefits of liberalization are one sided also contributes to the opposition waged against SAATM since it favours countries with hubs that have enhanced infrastructure. This bookalso locates the SAATM in the context of global and regional political economy in general. Non-African airlines, plane manufacturers, and financial institutions have radically influenced aviation policy in Africa. While this may have both positive and negative implications for aviation in Africa, and particularly for SAATM, the influence may increase dependency and asymmetrical competition. In fact, global aviation policy and regulation, for instance, in the form of the International Civil Aviation Organization (ICAO), have a complex relationship with regional initiatives in Africa. All this informs the context in which one should try to understand SAATM.

From a methodological point of view, the book takes an interdisciplinary approach in which legal analysis is combined with institutional and political economy analysis. Through analysis of the literature in treaties, policy papers, institutional reports, as well as scholarly literature, the paper argues that a linear or technologically driven process of aviation liberalization does not exist. On the contrary, the paper argues that it is a contested governance agenda that has been driven by power relations, differences in distribution, as well as a

series of institutional legacies. The liberalisation of air transport has long been framed as a cornerstone of Africa's economic integration agenda. From the early aspirations of the Yamoussoukro Declaration to the contemporary ambitions of the Single African Air Transport Market (SAATM), African states have repeatedly acknowledged the centrality of aviation to trade, mobility, and development. Yet, progress has remained uneven and contested.

The book situates African aviation liberalisation within broader debates in international economic law and Global South regionalism, arguing that implementation failures stem not from weak legal texts but from institutional design and political economy constraints. Historically, African aviation was shaped by imperial priorities, privileging connectivity with European metropoles over intra-African routes. This colonial legacy continues to influence market fragmentation and reliance on restrictive bilateral air services agreements (BASAs). The book provides a nuanced legal commentary on the Yamoussoukro Decision (YD), characterising it as a limited regional open skies regime designed to accommodate Africa's developmental asymmetries rather than replicate the European Union Single Aviation Market. Institutionally, the analysis focuses on the role of the African Civil Aviation Commission (AFCAC) as the Executing Agency of the YD, highlighting its constrained mandate, limited resources, and dependence on African Union member state cooperation. By contrast, aviation liberalisation in the EU has been driven by enforceable competition rules, judicial oversight by the Court of Justice of the European Union (CJEU), and strong regulatory agencies such as the European Union Aviation Safety Agency (EASA). The comparative analysis extends to the Association of Southeast Asian Nations (ASEAN), whose cautious and state-centric approach to aviation liberalisation offers politically salient lessons for Africa.

On the economic front, the book draws on empirical evidence from the International Air Transport Association (IATA) and the World Bank to demonstrate the potential benefits of liberalisation, including increased traffic, reduced fares, and enhanced connectivity. These benefits align closely with Africa's broader integration agenda under the African Continental Free Trade Area (AfCFTA), where efficient air transport is critical for market access and trade facilitation. The book's most significant normative contribution lies in its sustained focus on dispute settlement. Drawing parallels with the AfCFTA

Dispute Settlement Protocol, the author argues that credible adjudicative mechanisms are indispensable to the success of SAATM. Overall, the book offers a rigorous, policy-relevant roadmap for advancing African aviation liberalisation. By combining historical insight, legal analysis, and comparative perspective, it makes a timely contribution to debates on Africa's economic integration and global aviation governance.

Finally, to rethink the African aviation liberalization paradigm, one must look beyond proclamations of support to implementation on realistic foundations of institutional politics. SAATM has the makings of an effective tool to leverage connectivity, costs, and continental integration. But on these grounds, its success requires more than mere political will; to implement SAATM effectively, the politics of the costing field must also be understood. By raising SAATM to being more of an issue of multidimensional governance, as compared to concerns of traditional regulatory change, this paper helps to add to the debate on African regional integration, as well as the role of law and institutions to development.

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