

17th Leiden IIASL International Air Law Conference

16 April 2026



Universiteit
Leiden
The Netherlands



UNAM
UNIVERSITY OF NAMIBIA



17th Leiden IIASL International Air Law Conference

Registration

09:00 – 09:30



**Universiteit
Leiden**
The Netherlands

Welcome

09:30 – 10:15

- **Steven Truxal (chair), Leiden University**
- **Kennedy Kariseb, University of Namibia**
- **Ericsson Nengola, Namibian Civil Aviation Authority**
- **Hon. Fillemon Wise Immanuel, Namibia Ministry of Justice**

Regional Connectivity and Liberalisation

10:15 – 11:45

- **Regula Dettling-Ott (chair), University of Bern**
- **Vasco Vieira, AFCAC**
- **Mynard Slabbert, Stellenbosch Municipality**
- **Rajesh Singh, IndiGo**
- **Chrizelda George, Walvis Bay Airport**
- **Angelo Dube, University of South Africa**

Regional Connectivity and Liberalization

17th Leiden IIASL International Air Law Conference

Windhoek

16 April 2026

Vasco Vieira, AFCAC

(Aaron Munetsi, Airlines Association of Southern Africa)

Chrizelda George, Walrus Bay Airport

Prof. Angelo Dube, UNISA

Mynard Slabbert, Stellenbosch Municipality

Rajesh Singh, IndiGo

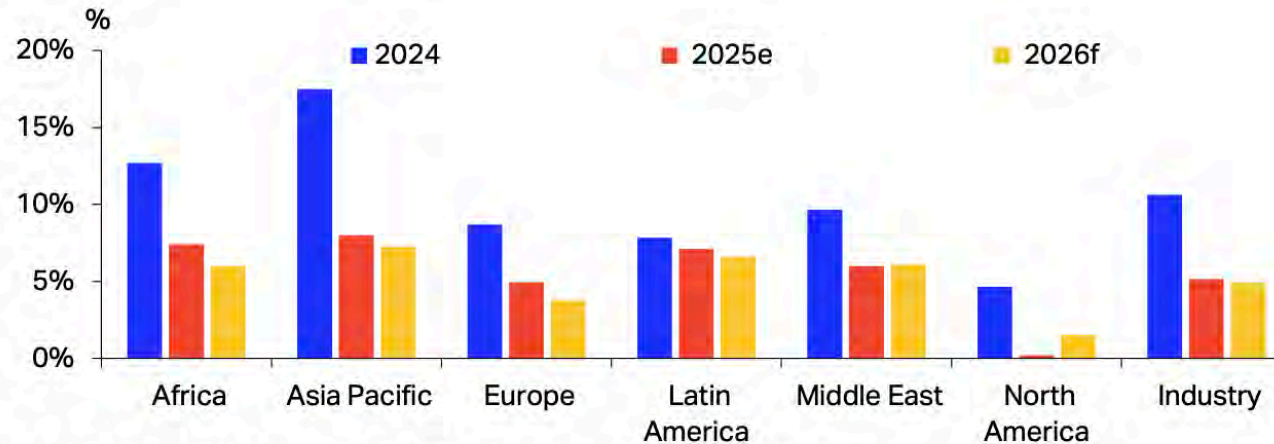
Moderator: Prof. Dr. Regula Dettling-Ott

Passenger traffic growth in Africa stronger than in other regions

Total passenger traffic to grow 4.9% in 2026

Africa growing ahead of industry average

Annual growth in Revenue Passenger-Kilometers (RPK) by world region



Source: IATA Sustainability and Economics, IATA Information and Data – Monthly Statistics

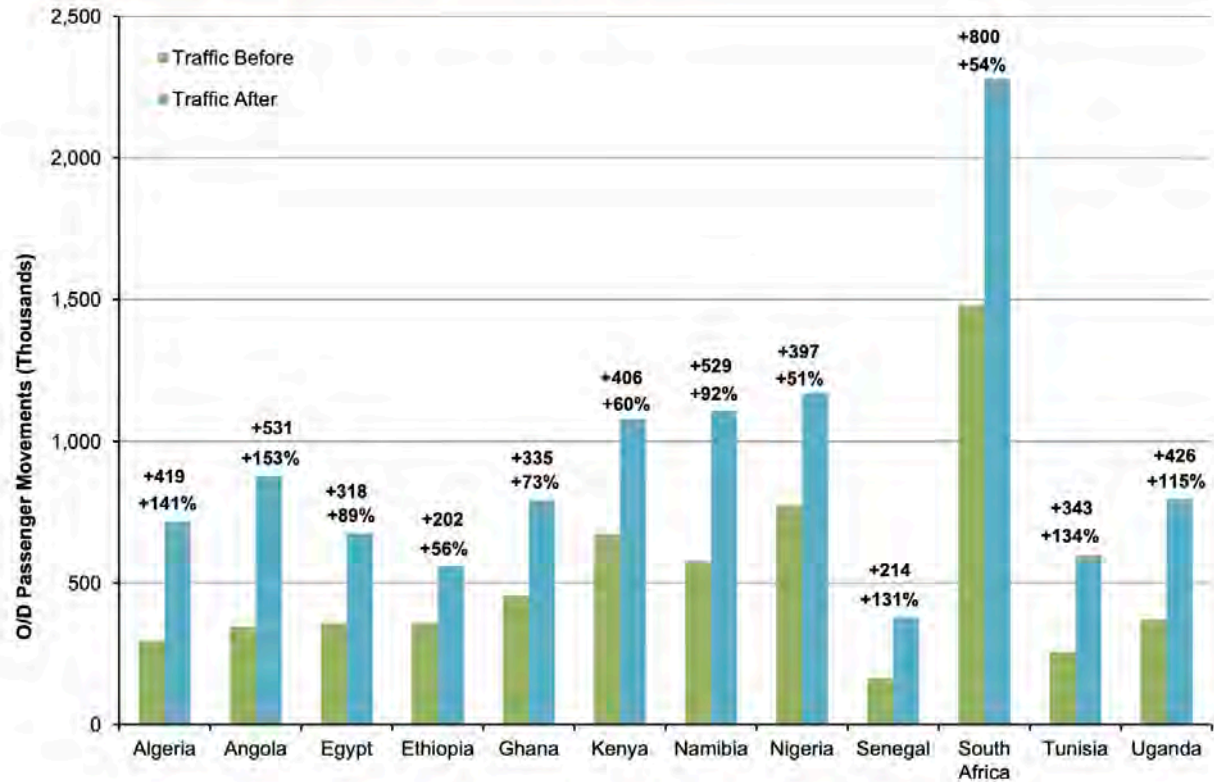
In terms of profits (airlines), Africa is weaker than other regions



IATA/Intervistas study 2014



Figure ES-1: Passenger Traffic Impact of Liberalisation



IATA/Intervistas study

Africa: 17% of world's population, 7 % of global middle class, but only 3% of the global air transport market

3.1 Evolution of air liberalization in Africa

Air transport connectivity in the African continent is significantly lower than in other regions, especially if we take into account the continent's size and population: Africa accounts for 17% of the world's population and 7.2% of the global middle class (Source: Oxford Economics, Airbus GMF), but only captures around 3% of the global air transport market. Some of the multiple factors that can explain this situation are the lack of market openness and the low levels of air transport liberalization, which have always been identified as one of the main barriers with the highest negative impact.

IATA/Intervistas study

SAATM Single African Air Transport Market (2018) – similarities to the EU air transport market?

The SAATM is aimed at the effective implementation the Yamoussoukro Decision (YD), calling for:

- ▶ Full liberalization of intra-African air transport services in terms of market access;
- ▶ Free exercise of 1st, 2nd, 3rd, 4th and 5th freedom traffic rights for scheduled and freight air services by eligible airlines;
- ▶ Eligibility criteria for African carriers;
- ▶ Full liberalization of frequencies, tariffs and capacity;
- ▶ Safety and security standards for African carriers;
- ▶ Mechanisms for fair competition and dispute settlement and consumer protection.

IATA/Intervistas study

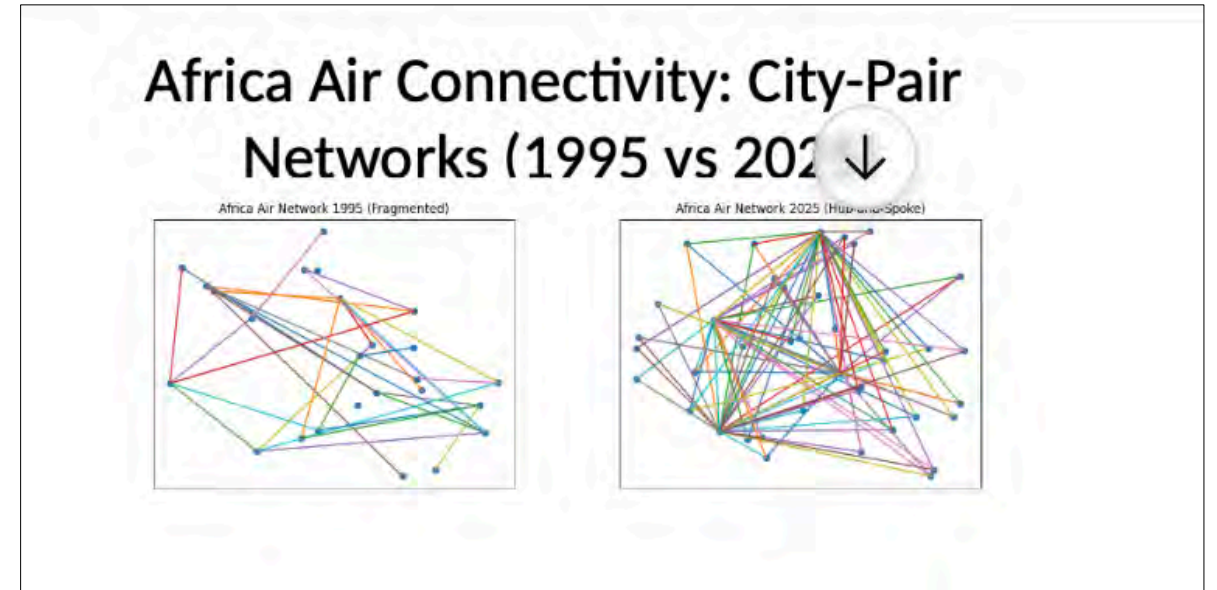
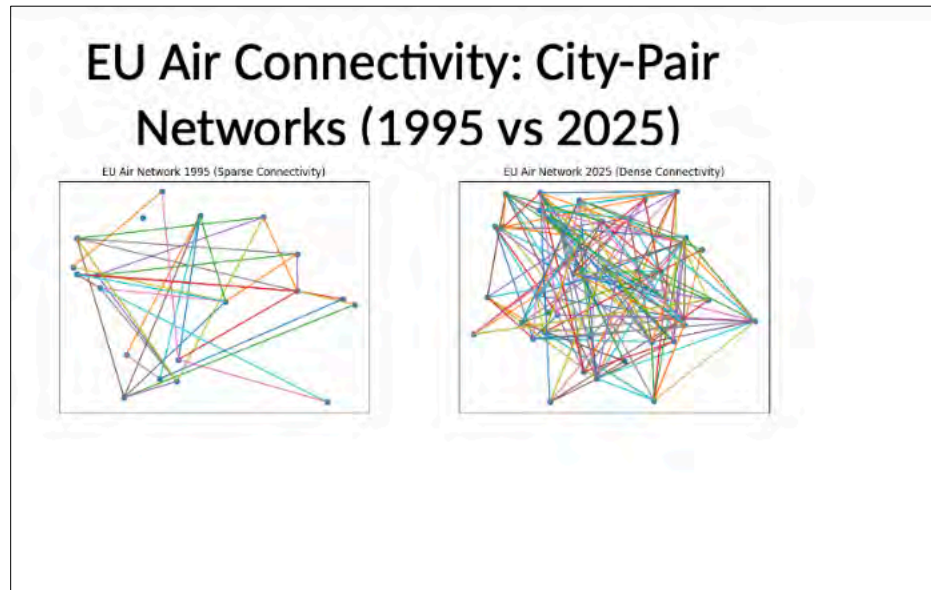
Intercontinental connectivity:
Lack of national carriers augment need for 5th freedom rights operations

Impact EU – Morocco Agreement (Ryanair)



Figure 18: Top fifteen intra-Africa fifth freedom routes and competition. Source: OAG – Schedules Analyser

Air connectivity in city pairs: comparison EU and Africa



Source: Chatgpt

SAATM ACHIEVEMENTS AT A GLANCE: SINGLE AFRICAN AIR TRANSPORT MARKET

MACROECONOMIC IMPACT

GDP CONTRIBUTION
\$75B+

JOBS SUPPORTED
8.1M

TRADE (ANNUALLY)
\$2.8B

TOURISTS TRAVEL (2025)
81M

POLITICAL COMMITMENT

38
SAATM STATES

26
SIGNED MOI

21
SAATM-PIP

CONNECTIVITY

23%
CONNECTIVITY

124
ROUTES

3M+
PAX

113M PAX (2025)
AFRICAN AIRLINES

ACCESSIBILITY

28%
VISA-FREE

20%
VOA

700+
AIRPORTS

20 PKD
KEY ' STATES

32 STATES
FMP Protocol

AFFORDABILITY & SUSTAINABILITY

AFFORDABILITY

ECOWAS DECISION **-25%**

TFC
FRAMEWORK
- UNDERWAY

SUSTAINABILITY

SAF STRATEGY
Sustainable Aviation Fuel

32 UPR
~ \$14M SAVING
User Preferred Routes

CORSIA
- IMPLEMENTED

SAFETY & SECURITY

62.2%
EI - SAFETY

64.5%
EI - SECURITY

17th Leiden IIASL International Air Law Conference

Tea and Coffee

11:45 – 12:15



**Universiteit
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Cape Town Convention at 25 Years Old

12:15 – 13:00

- **Laura Pierallini (chair), Studio Pierallini**
- **David Bartlett, AERIAL**
- **Suzanne Glatthaar, KLM**
- **Nitin Sarin, Sarin & Co.**
- **Chris Christodoulou, Christodoulou & Mavrikis Inc Attorneys**

17th Leiden IIASL International Air Law Conference

Windhoek | Thursday 16th April 2026

CAPE TOWN CONVENTION AT 25 YEARS OLD

The Cape Town Convention (CTC)

The Convention on International Interests in Mobile Equipment and the Protocol

Signed at Cape Town on **16 November 2001**

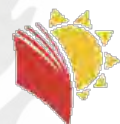
Entered into force on **1 March 2006**

Ratified by **90 states***

The CTC harmonises the legal framework governing aircraft financing and leasing by standardising creditor rights and enforcement remedies across jurisdictions, with the express objective of reducing risks associated with the recovery of leased and financed assets and lowering financing costs. Overall, the CTC is intended to promote more secure, efficient and predictable financing and leasing of aircraft.



*source: Unidroit



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PIERALLINI
STUDIO LEGALE

CAPE TOWN CONVENTION AT 25 YEARS OLD

The International Registry (IR)

The IR is a key component of the CTC. The IR, which came into effect on 1 March 2006, is a centralised, online, notice-based registry system, providing a stable international legal regime which allows certain registering parties to protect their financial interests and priority over specific aircraft equipment, thereby establishing legal predictability for cross-border financing and leasing of specific aircraft equipment. **As a general rule, priority is determined by the order of registration: an interest that is registered first will have priority over later-registered or unregistered interests, including those of most buyers and judgment creditors.**

IR vs. National Registries

- **National Registries:** These registries primarily focus on nationality and ownership registration, as well as the operational aspects of an aircraft within a country's jurisdiction. They confirm which country oversees the aircraft's airworthiness and operations.
- **IR:** The IR is specifically designed for registering financial interests in mobile aircraft assets. Its purpose is to establish the priority of these interests, independently of the aircraft's national registration. Therefore, an aircraft can be nationally registered in one country but have various international interests recorded in the IR.

Both registration systems are complementary. National registration is a prerequisite for flight operations, while IR registration is critical for protecting financial and ownership rights in an international context.

Deregistration and export: The Irrevocable Deregistration and Export Request Authorisation (IDERA)

Another key component of the CTC is the IDERA, an irrevocable authorisation enabling the creditor's designee to secure deregistration and export without debtor cooperation; where applicable, aviation authorities must honour a properly recorded IDERA.







CAPE TOWN CONVENTION

CONVENTION ON INTERNATIONAL INTERESTS IN MOBILE EQUIPMENT (2001)

Aim & Philosophy

Encourage increased availability and lower cost of financing mobile equipment by reducing country risk, through greater security, recognition of rights and certainty of asset repossession remedies for lessors and financiers if the operator were to default or become insolvent.

The New Key Concepts

-  Creation of “**international interest**” - not one dependent upon national law
-  Rights under the treaty directly enforceable by registered interest holders
-  International Registry “on line” publicly accessible
-  Countries given choice of various declarations to select from
-  Protocols to be agreed for different equipment types
-  Specific to aircraft equipment, engines recognised as independent objects, not part of the airframe

Convention and Aircraft Equipment Protocol signed 16 November 2001

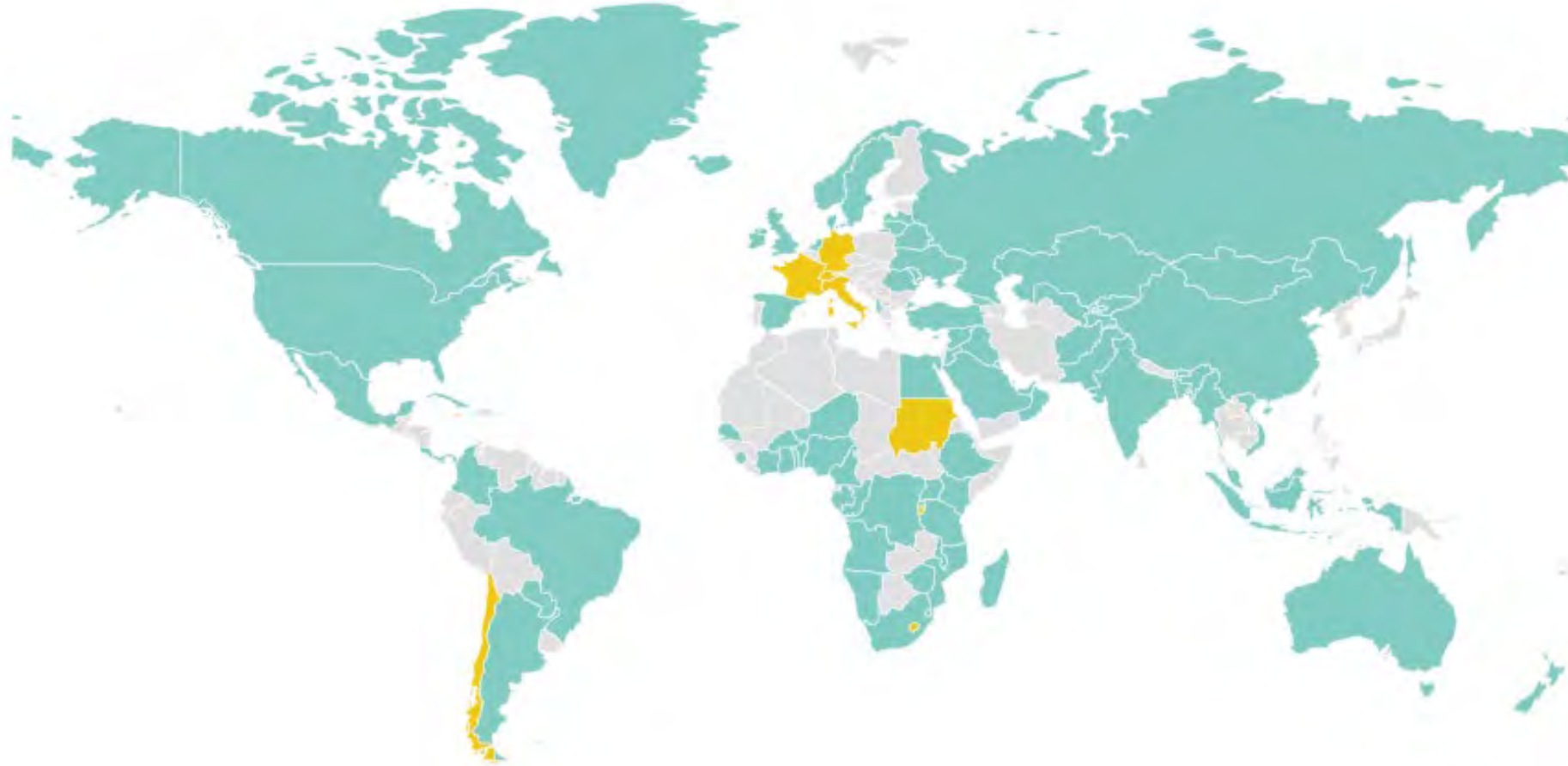
Aircraft Equipment Protocol took effect 1 March 2006

Railway Rolling Stock protocol took effect 8 March 2024.

Space and Mining, Agricultural And Construction (MAC) Equipment Protocols not yet in effect.



Cape Town Convention

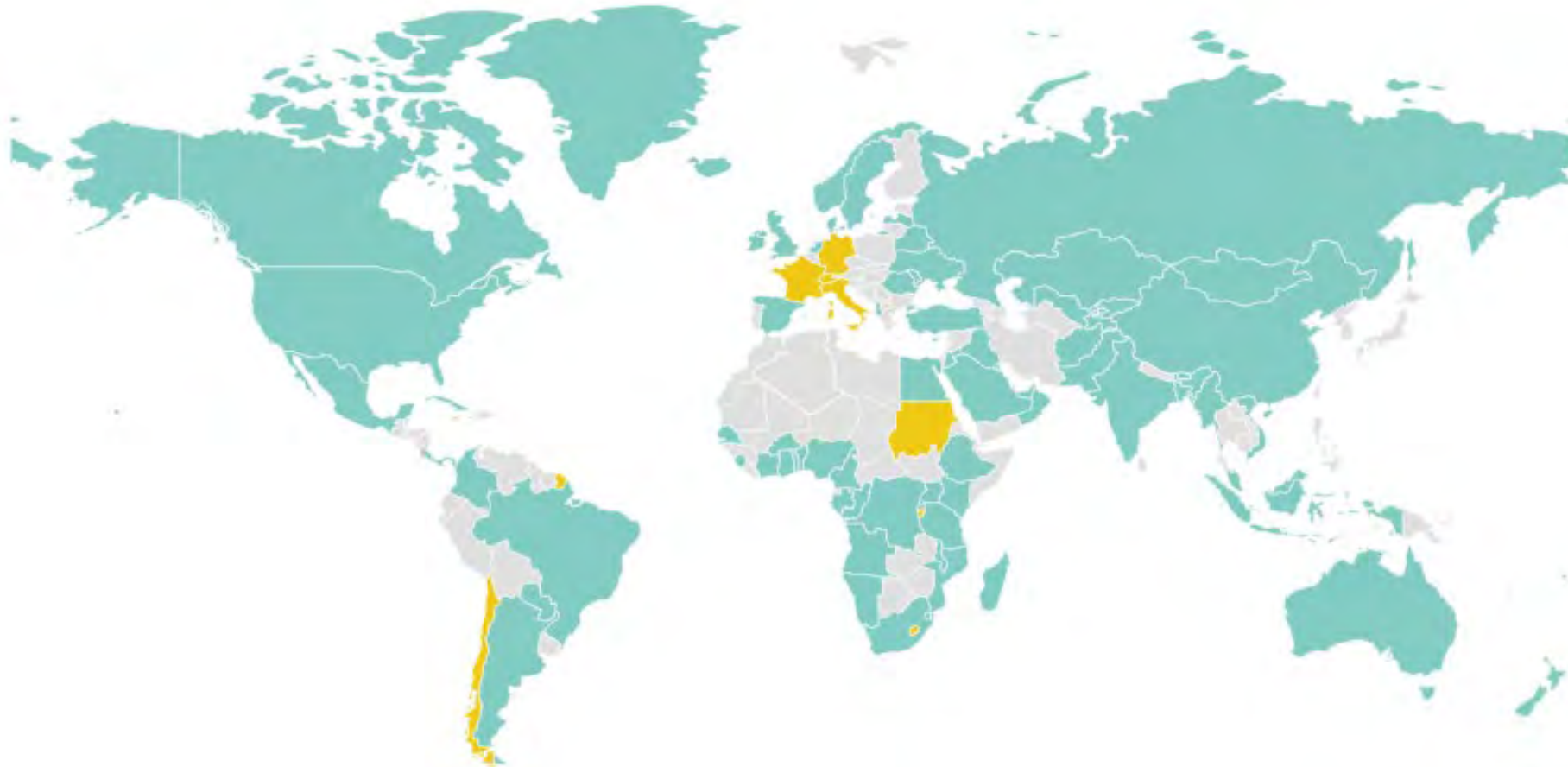


Contracting States: 90

Yellow – Signed
Green – Ratified/ Acceded

www.unidroit.org/instruments/security-interests/cape-town-convention/states-parties

Cape Town Convention – Aircraft Equipment Protocol



Contracting States: 87

This status map from Unidroit should also include Niger as an acceding country

www.unidroit.org/instruments/security-interests/aircraft-protocol/states-parties

Yellow – Signed

Green – Ratified/ Acceded

Africa – Aircraft Equipment Protocol Contracting States

21 Contracting States with declarations

- ✈ Angola
- ✈ Benin
- ✈ Cape Verde
- ✈ Cote d'Ivoire
- ✈ Democratic Republic of the Congo
- ✈ Egypt
- ✈ Ethiopia
- ✈ Ghana
- ✈ Kenya
- ✈ Madagascar
- ✈ Malawi
- ✈ Mozambique
- ✈ Namibia
- ✈ Nigeria
- ✈ Rwanda
- ✈ Senegal
- ✈ Sierra Leone
- ✈ South Africa
- ✈ Togo
- ✈ Uganda
- ✈ United Republic of Tanzania

7 Contracting States but no declarations

- ✈ Burkina Faso
- ✈ Cameroon
- ✈ Congo
- ✈ Eswatini (Swaziland)
- ✈ Gabon
- ✈ Niger
- ✈ Zambia

Convention and Aircraft Protocol signed but not yet ratified: Burundi, Sudan and Lesotho.

Accession to Convention but not Aircraft Protocol: Seychelles and Zimbabwe

Luxembourg Rail Protocol: Gabon and South Africa and Mozambique

Pretoria MAC Protocol Convention (not yet in force) – signatories Congo, Nigeria Gambia (though latter is not party to the Convention)

Berlin Space Protocol (not yet in force) : signatories Burkina Faso and Zimbabwe



The question is not: “Is [country] party to the Cape Town Convention & the relevant Protocol”

Convention and Protocol adopted by states with Declarations

Effects and terms vary enormously between contracting states

Choices made at the time of ratification or accession – those choices provide flexibility yet have significant economic and legal implications

African states’ declarations are a mix of good, mixed, bad and none at all.

Declarations refer to Article numbers

Arabic numbers refer to Convention Articles

Roman numerals refer to Protocol Articles

(There is also a consolidated text version)



Key Articles to Note

Convention

Article 8 – Remedies of Chargee

(Note Article IX variations in Aircraft Protocol)

Article 39 – Rights having priority without registration

Article 40 – Registrable non-consensual rights

Article 54 – Self help – remedies exercisable without need to go to court

Aircraft Equipment Protocol

Article VIII – Respect contractual choice of law

Article X – Interim relief; deregistration and export

Article XI – Insolvency

Article XII – Insolvency Assistance

Article XIII – Deregistration & Export Request Authorisation (IDERA)

Article XIV — Modification of priority provisions

“Ownership of or another right or interest in an aircraft engine shall not be affected by its installation on or removal from an aircraft”.



Local Implementation. How is it working in practice?

Cape Town Convention COMPLIANCE INDEX



[View country scores with qualifying declarations made \(59\)](#)

[View country scores with no qualifying declarations made \(25\)](#)

Country	Score ↓	Category	Certified-for-transaction version
Canada	97	Very High	Download CFT Version
Malta	95	Very High	Download CFT Version
Australia	94.5	Very High	Download CFT Version
Singapore	92.5	Very High	Download CFT Version
New Zealand	92.5	Very High	Download CFT Version
United Kingdom	89.5	Very High	Download CFT Version
Norway	89.5	Very High	Download CFT Version
Sweden	89	Very High	Download CFT Version
Ireland	88.5	Very High	Download CFT Version
United Arab Emirates	88	Very High	Download CFT Version
Latvia	86.5	High	Download CFT Version
San Marino	84	High	Download CFT Version
Denmark	81.5	High	Download CFT Version
Jordan	81	High	Download CFT Version

**CTC COMPLIANCE INDEX
WATCHLIST NOTICE UPDATE NO. 1**
12 March 2026

Contracting State: India
On watch since: 22 September 2025
Prior updates: N/A
Category: Medium (current score: 74)
Variable(s) under assessment: Variable A (current score: 4); Variable B (current score: 3.5)
Projected scoring action: Conditional (see PARAMETERS BELOW)
Compliance outlook: Conditional (see PARAMETERS BELOW)

Facts:
Protection of Interests in Aircraft Objects Rules
On 30 January 2026, the Ministry of Civil Aviation (MOCA) issued the Protection of Interests in Aircraft Objects Rules, 2026 (the **CTC Rules**) under the authority of The Protection of Interests in Aircraft Objects Act, 2025 (the **CTC Act**). The CTC Rules (inter alia: (i) provides for the establishment of an Information System to be maintained and updated by the registry authority with current enumerated fees and dues owed with respect to the ownership or use of an aircraft object, to which aircraft object creditors shall have access; (ii) requires that a creditor inform the registry authority of the occurrence of default, following the mechanism prescribed by the CTC Rules, prior to the exercise of any CTC remedies, and the registry authority shall acknowledge receipt of the same on the same working day; (iii) clarifies that Alternative A rules under Aircraft Protocol, Article XI apply in the insolvency context; (iv) directs the registry authority to issue directions on the manner of exercising non-judicial remedies under CTC by a creditor; (v) directs the registry authority to take action on an application for remedies under an IDERA subject to the settlement of certain enumerated dues arising after the notice of default by the applicable IDERA holder; and (vi) contemplated directions relating to the exercise of non-judicial remedies. AWG has sought certain clarification/interpretation and technical revisions from MOCA with respect to the CTC Rules.

[Insolvency and Bankruptcy Code \(Amendment\) Bill, 2025](#)

**CTC COMPLIANCE INDEX
WATCHLIST NOTICE UPDATE NO. 1**
14 January 2026

Contracting State: Latvia
On watch since: 26 November 2025
Prior updates: N/A
Category: High (current score: 86.5)
Variable(s) under assessment: Variable B (current score: 4)
Projected scoring action: No change
Compliance outlook: Confirmatory (see PARAMETERS BELOW)

In this watchlist notice:
‘CTC’ means the Convention on International Interests in Mobile Equipment (the **Convention**) as modified by the Protocol thereto on Matters Specific to Aircraft Equipment (the **Protocol**).
The ‘Official Commentary’ means the **Official Commentary on the Cape Town Convention** (rev. 5th ed UNIDROIT 2024).
Facts:
On 28 October 2025, the Riga District Court (the **Court**) granted SIA Smartlynx Airlines’ (‘**Smartlynx**’) application for legal protection, a restructuring proceeding under Latvian insolvency law.
On 17 December 2025, the Court granted Smartlynx’s application for insolvency, a liquidation proceeding under Latvian insolvency law.
CTC Analysis:
The granting of Smartlynx’s application for legal protection (the **Smartlynx insolvency proceedings**) constitutes an ‘insolvency-related event’ under Article 12(1)(iii) of the Protocol. As such, Alternative A of Article XI of the Protocol, as in effect in Latvia, applies and the Alternative A timeline started on, and its other provisions take effect from, 28 October 2025. The granting of Smartlynx’s application for insolvency does not affect the Alternative A waiting period triggered by its initial insolvency proceedings.
Article XII(b) of the Protocol provides that the insolvency administrator or the debtor, as applicable, must give possession of the aircraft object to the creditor no later than the earlier of (a) the end

**CTC COMPLIANCE INDEX
SCORE ADJUSTMENT NOTICE**
16 October 2024

Contracting State: Nigeria
Category: High (adjusted score: 75.5)
Variable(s) adjusted: Variable A (increase from 4 to 5)
Scoring Action: Increase (70.5 to 75.5)

On 16 October 2024, the Nigerian Civil Aviation Authority issued Advisory Circular NCAA-AC-AWS001A (*Procedures for Recordation of IDERA and De-registration of Aircraft under an IDERA*) in connection with IDERA recordation and enforcement NCAA-AC-AWS001A, *inter alia*, (i) prescribes timelines for (a) IDERA recordation and (b) deregistration of an aircraft upon exercise of an IDERA by the authorised party, each consistent with timelines required under CTC, (ii) clarifies that documents and actions within the exclusive control of the aircraft operator are not required prior to processing deregistration or export pursuant to an IDERA exercise, and (iii) clarifies that exercise of export remedies pursuant to an IDERA are subject to applicable laws and regulations permitting operation of an aircraft under a ferry or other special flight permit and excludes any requirement for an export certificate of airworthiness. As a result, Nigeria’s variable A score has been increased from 4 to 5.

CTC compliance watchlist status:
Nigeria has been **removed** from the CTC compliance index watchlist as the compliance-related action has concluded.

17th Leiden IIASL International Air Law Conference

Lunch

13:00 – 14:30



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Fire Side Talk

14:30 – 15:00

- **Mia Wouters (chair), GDS Advocaten**
- **Daniel Moss, African Airlines Association**

Drones and High Altitude Operations

15:00 – 15:45

- **Chrystel Erotokritou (chair), Access Partnership**
- **Claudia Hess, Urwantschky Dangel Borst**
- **Philippe Carous, Erkelens Law**
- **Lazar Vrbaski, Clyde and Co.**
- **Benjamyn I. Scott, Leiden University**

17th Leiden IIASL International Air Law Conference

Tea and Coffee

15:45 – 16:15



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Soft Law's Role During Hard Times

16:15 – 17:00

- **Stephan Hobe (chair), University of Cologne**
- **George Matroos, Namibia Civil Aviation Authority**
- **Angelo Dube, University of South Africa**
- **Andrea Trimarchi, EUROCAE**

Closing Remarks

17:00 – 17.15

- **Steven Truxal (chair), Leiden University**

Reception

17:15 – 19:00

- **Jock Geselschap (host), Deputy Ambassador and Head of Economic Affairs, Embassy of the Kingdom of the Netherlands in Pretoria, South Africa (accredited to Namibia)**

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