



UNITED NATIONS DEVELOPMENT PROGRAMME

INTERNATIONAL CIVIL AVIATION ORGANIZATION



CIVIL AVIATION CARETAKER AUTHORITY FOR SOMALIA

(PROJECT SOM/03/016)



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Department of Peacekeeping Operations
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Project Evaluation Final Report Addendum

26 August 2009

EVALUATION TEAM

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Introduction

UNDP Somalia, on 3 August 2009, requested the Evaluation Team to consider further:

- (1) “the role of UNDP and challenges with the project management structure.”
- (2) “regularizing the project and finding a proper ‘home’ for the projects within one of the UNDP programmes...or note the need to find an alternative mechanism for delivering this project.” UNDP Somalia indicated “that the project does not link coherently to UNDP’s core activities.”
- (3) “the fact that UNDP does not recover the mandated 7% admin costs for this project.” However, they also noted that “it wasn’t in (the Team’s) mandate to review the financials.”

The Team, after a draft comment period, had already issued its Final Report on 24 July 2009 when UNDP Somalia comments were received.¹ The Team has prepared this addendum to the final report in response to UNDP Somalia’s CACAS management and financial issues.

We have also included the memorandum received from Puntland State of Somalia Minister of Civil Aviation & Airports dated 24 June 2009. It was not included in our final report but was emailed to all parties 13 August 2009. A copy of the Institutional Issues Memorandum received from Somaliland Minister of Civil Aviation & Air Transport dated 29 June 2009 is included for continuity.

Institutional Issues

1- Project Management Structure

As far as "regularizing the project and finding a proper home" for CACAS, not everyone agrees that CACAS is actually so much of an anomaly for UNDP. The ICAO Technical Cooperation Bureau and UNDP have worked together on hundreds of projects around the world since the mid-60s. One type of project involves ICAO’s provision of Operational Assistance (OPAS). Although CACAS is not an OPAS project, the operational nature of the assistance CACAS provides has certain similarities. The United Nations Development Programme includes Crisis Recovery, Economic Recovery, and State building as “What We Do.”

¹Project Terms of Reference required the Team to issue a draft report to UNDP within a week after completion of the evaluation mission and a final report within two weeks after mission completion. The TOR also restricted the Team to twenty working days and the report to twenty pages excluding annexes. The Team, in its issuance of the final report on 24 July 2009, was complying with these TOR time and report limits. ICAO comments and recommendations on the draft report had been received and fully considered.

Our Final Report dealt at some length with the issue of the project's mandate. As we have indicated, Somali authorities question the very basic premise of the project, whether there is valid mandate for the services the project provides on behalf of the country, and whether the project can properly derive and interrupt Somalia revenue.² For the benefit of all concerned, including the providing Agencies and the international user community, it would be highly desirable that the project seeks fresh mandate as has been recommended.

In this regard, we suggest that it would appear more appropriate, and probably less controversial, if the project were to seek its foundation more on technical rather than political grounds. CACAS was not explicitly established under provisions of the Convention on International Civil Aviation (Chicago Convention). This is another avenue available to the project. Use could be made of the provisions of articles 69, 70 and 71 of the Chicago (ICAO) Convention. These articles provide where the ICAO Council believes the air navigation facilities of a contracting State are not reasonably adequate, the Council may provide, maintain, and administer the State's facilities. This includes reasonable charges for the use of the facilities provided. It could provide a way out of the existing legal vacuum if there is one as alleged.

If this route were taken, the Council could also include in the discussions, and eventually in the mandate, issues of regulation and safety oversight. These areas were outside the Team's terms of reference but are viewed by the mission as a major concern.

UNDP could conceivably withdraw from CACAS. Besides ICAO's implementation of civil aviation projects financed by UNDP, ICAO projects have also been financed by Trust Funds and Management Service Agreements.

Our final report recommendation (A.2, page 21) regarding project management structure was "That a Steering Committee be established to replace the Management Advisory Board foreseen in the Project Document. The Committee should integrate representatives of ICAO, UNDP, and the TFG of Somalia, Puntland and Somaliland." We originally termed this recommended body as a "Supervisory Board" but changed it to a "Steering Committee" at ICAO's recommendation at our draft report presentation at UNDP Somalia in Nairobi on 2 July 2009.

This recommendation stands as one of UNDP Somalia's Project Management options. The Steering Committee's inclusion of representatives of the TFG of Somalia, Puntland, and Somaliland would be a major step forward in Project Management Structure.

2- UNDP Somalia Cost Recovery

CACAS is funded by revenue collected by IATA. The Project Document lists ICAO as the Trust Fund Manager while "Authority for the disbursement of funds from the Trust Account is vested in UNDP Somalia..."

² See Somaliland and Puntland Civil Aviation Authority memorandums on pages 5 through 13.

Both UNDP and ICAO have project cost recovery interests and policies. The involvement of more than one agency obviously complicates cost recovery issues. Should in this case the standard fee of each Agency be added on or should all Agencies share a single fee? We are not personally aware of any UN guidelines on practices to be followed in such cases. However, it would seem that such situations would not be uncommon and certainly some precedent has already been established. Ethical considerations should play a role on deciding a sensible approach taking into no small account that in this case the project is not funded by donors but by Somali funds in trust. A cost-based approach would appear as a sensible way of responding to each agency's concerns without further eroding project revenues.

We asked UNDP Somalia, on 10 August 2009, "...why provisions for UNDP cost recovery haven't been included in CACAS" and "What barriers are there to project document amendment to provide for cost recovery?"

UNDP Somalia responded on 19 August that "Apparently, there was a corporate agreement between UNDP HQ and ICAO HQ at the start of the project, for UNDP to provide administration services to ICAO. Unfortunately this agreement did not provide for cost recovery at the time."

Regarding project amendment, UNDP Somalia said "It would be the contribution agreement that was signed regarding the management and administration of the project ... (that) would need to be amended; as this is what normally stipulates costs related to the admin and management of the project."




UNDP Options

UNDP may:

- Enlist the assistance of UNDP and ICAO Headquarters' legal and financial expertise to help determine a UNDP “home” for CACAS and cost recovery policies that will minimize the erosion of project revenue and will not materially exacerbate Somalia's current animosity toward the Project.
- Review and determine whether CACAS fits in UNDP project core activities such as Crisis Recovery, Economic Recovery, and State building.
- Negotiate UNDP's withdrawal from the UNDP/ICAO CACAS project.
- Negotiate amendment of the contribution agreement between UNDP and ICAO to provide for UNDP's cost recovery.
- Participate with ICAO in establishing a Steering Committee integrating representatives of ICAO, UNDP, and the Transitional Federal Government of Somalia, Puntland, and Somaliland as we recommended 24 July 2009.



Dawlad Goboleedka Puntland ee Soomaaliya Wasaarada Duulista Hawada & Garoomada		Puntland State of Somalia Ministry of Civil Aviation & Airports
Office of the Minister.		
Ref: WDH&G/XW/83/09.		Date:-24/06/2009.,

Proceeding of the meeting.


Wednesday, June 24/06/2009.

Participants:-

1. Hon. Ahmed Elmi Osman	Minister of Civil Aviation and Airports
2. Abdulkadir Sh. Mohamud	Director General of Civil Aviation and Airports
3. Abdullahi Farah Essa	Director of Civil Aviation and Airports
4. Amin Abdullahi Hagi	Director of Planning, Air Transport, and Statistics.
5. Abdulmajid Samater	Boosaso Airport Manager.
6. Siciid Yusuf	Bossaso Airport Deputy Manager
7. Messrs Ernie Wickersham	ICAO/UNDP Evaluation Team
8. Dahir Calin	ICAO/ UNDP Evaluation Team

Agenda:-

Coordination and Discussion of meeting between Ministry of Civil Aviation and Airport and Evaluation team from ICAO for the practical requirement for the achieving priority improvement and support its sustainable function. And the empty gap from CACAS side to recover the cost, facilities and services that are provided, operated and maintained in support of air transport requirement.

Dawlad Goboleedka Puntland ee Somaliliya Wadnada Dowlada Hawada & Garoomada.		Puntland State of Somalia Ministry of Civil Aviation & Airports
Office of the Minister.		
Ref: WDH&G/XW/83/09.		Date:-24/06/2009.,

To: ICAO/UNDP Evaluation Meeting
Cc: CACAS
Cc: Ministry of Planning and International cooperation Puntland
 Garowe
Cc: Office of the Puntland President
 Bosaso
 Nairobi
 Garowe

Subject: Meeting between Ministry of Civil Aviation and ICAO/UNDP
 EvaluationTeam.

Introduction.

The ministry of Civil Aviation and Airport in Puntland State of Somalia
 urges the Evaluation Team to present the real situation in Puntland
 airports infrastructure, the priority needs for reconstruction and
 improvement, and the practical requirement for achieving priority
 improvement and support its sustainable function.

Airport infrastructure is the most critical piece of infrastructure for trade with
 neighboring Kenya, Ethiopia, Djabuti and the world. Without adequate airport
 infrastructure, it would not be possible to expedite high value economic
 commodities for export and supply around Puntland State of Somalia. This
 means that the socio-economic consequences of potential high value
 commodities need consideration when selecting, rehabilitating and
 reconstructing airport infrastructure.

The Civil Aviation Caretaker Authority for Somalia (CACAS) was formed in 1995
 to ensure the safety of air transport operations in Puntland/Somalia, in the

absence of a functioning central Somali government. The main objectives of CACAS are to: (a) to provide the safe operation and maintenance of essential facilities, equipment and services for all air transport operations in Somalia; and (b) assist in the rehabilitation and development of aviation (airport and air navigation) infrastructure in Puntland/Somalia nothing has been done so far according to main objectives of CACAS or expectations from CACAS to Puntland/Somalia or I can say very limited amount. However let draw your attention that, it is important that we all understand and appreciate the mandate of the project and how is not operated. CACAS come in Puntland in 1995 and opened AFIS (Aeronautical flight information system) in Bosaso, we have requested many times from the year 2000 upto now to open AFIS other essential functioning airports in Puntland such as Galkayo and Garowe to provide safe operations and essential facilities, equipment and services for air transport operations. We sent to CACAS air traffic movement of Galkayo and Garowe airports and also nothing has been done at all.

CACAS has done 15 years in Puntland very limited operations and as follows:-

1. Directly employment to 17 person Somalis from Puntland with very low basic salary.
2. In 1995 repaired Bosaso runway.
3. In 1998/99 Bosaso runway was extended from 1500m to 1700m resurfaced and compacted to sustain the regular operations of aircraft of up to 30 tone take-off mass.
4. Constructed security fence at Bosaso airport.
5. Constructed new taxiways and an apron with three concrete parking stands at Bosaso airport.
6. Provided very poor and not functioning compact roller to assist the airport routine maintenance.

Civil Aviation infrastructure development under taken by Puntland Government.

- Construction of Bossaso Airport terminal and associated buildings, puntland government embarked on this project alone without any assistance from CACAS or the international community this mega project consists of 8 buildings such as:-
 - A) Passenger terminal with 3 floors ATC tower control.
 - B) RFF building
 - C) Training & Technical building
 - D) Customs warehouse building
 - E) Airport Police station of which consists of 3 bulidings.

F) Airport Mosque & Power supply building
G) The above mentioned project costed Puntland Government above \$12million USD.

- Runway for Bossaso airport length is 3700mX45m without the shoulders, and is now it has reached the last face of tarmac stage, which we plan to finish by the end of this year.
- Gaikao Airport Terminal building, repairing of the runway was all built and maintained by Puntland Government with no assistance from CACAS which costed the government above \$585,000.00USD
- Garowe the new Airport was built by the government, length 2200 meter width 30 meter, this airport is 10km from Garowe town while the previous airport was approximately 45km from Garowe, the construction of this airport costed the government \$750,000.00USD and is in its final stage with no assistance as of now from CACAS.
- We also have other airstrips of which we intend to do something about when we are financially able such as Gardho, Baran, Lasanood, Gara'ad Hafun, Eyl and Iskushuban.

The Ministry of Civil Aviation of Puntland employees are 75 personnel starting from the director general to the cleaners who are being paid salary by the ministry, CACAS employs only 17 staff from all of Puntland state and the only airport that has some technical staff paid by CACAS in all of Puntland's airports is Bossaso airport only.

Below is what we require CACAS to provide for Puntland Government

- 1)- Equipment and furnitures of Terminal building for Bosaso International Airport
- 2)- Techniacal support of Bosaso Runway, Apron & Taxi way for Bosaso International Airport
- 3)- Navigational Aids Such as VOR & NDB for Bosaso International Airport
- 4)- Equipments for ATCU such as Tower Controller And Approach Controllers
- 5) Opening of search and rescue coordination office in Puntland
- 6)- Equipments, for Met Observer/Forecaster for All Puntland Airports
- 7)- Staff trainings on above mentioned categories

- 8]- To establish controlled zone radius of 25Nm and Terminal Controlled Area of apprx Radius 100Nm in the South of Bosaso International Airport, East and the west same radius. In the North up to FIR
 - 9]- Galkayo Airport which is the busiest Airport in Puntland State has been fully operational since 1998 by the Ministry of Civil Aviation and airports of puntland State of Somalia, The Terminal building of Galkayo Airport was Completed 2004 and has been operational since that we have no any support from CACAS
 - 10]- We need CACAS to open AFIS Station at Galkayo airport ASAP.
 - 11]- Garoowe Airport Runway is under construction and is it in the final stage
 - 12]- **NAVIGATIONAL CHARGES OF SOMALIAN AIR SPACE NEEDS [ACCOUNTIBILITY AND TRANSPERANCY]**
 - 12]- We request from CACAS to train staff from the area of Flight safety, Air worthiness, and Air transport.
 - 13]- we request from CACAS office since Puntland state of Somalia were peaceful location and all Somali National and International staff can work to consider shifting Mogodishu FIC in Nairobi to Puntland State of Somalia Bosaso, Puntland State of Somalia, we have already Prepared operational building in a international standard way.
 - 14]- Any Somali National/International staff can work in Puntland State of Somalia.
- At last we have been asking CACAS to assist us with the above mentioned provision as it is CACAS's mandate to do so, to no avail for the last 15years and as you can clearly see we have made substantial development on our own

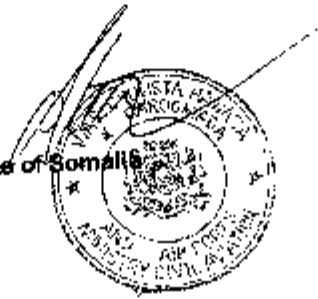
Recommendations:-

1. Since the end of the year the ICAO Somali Project was planned to handover Somali people, we are suggesting shifting the project CACAS from Nairobi to Somalia, particularly Bosaso, Puntland State of Somalia that we have already prepared operational building.
2. We also suggesting to establishment of Civil Aviation Training School in order to provide airports qualified personnel in aviation management, administration and specialized operational and technical fields, in order to develop employee's skills, knowledge and experience necessary to do their job efficiently and effectively. We have already provided building for Training School, and it needs furniture, equipment and human resources.

Your cooperation and early action of the above mentioned matters will be highly appreciated.

Best regards,

Mr. Ahmed Elmi Osman
Minister of Civil Aviation
And Airports Puntland State of Somalia





To: Institution Evaluation

Nairobi

Date: 29/06/2009

A. Regulation and safety over flight

a) Personal licensing

No licensing function are carried out in our area CACAS is supposed to issue licenses to working Air traffic controller but failed to do so. Aircraft and Airworthiness, Air operation certification, Air navigation system are all CACAS responsibility but not available.

We have no authority or intervention in Air traffic matters, CACAS is the sole responsibility of ATC, AIS and telecomm, availability of air traffic control below standard AFIS is the situation in our area.

b) We have in hand Somaliland Civil aviation regulation in accordance with ICAO standard and recommended practices.

c) Ministry of Civil Aviation Somaliland is the sole authority of Aviation and Air-Transport matters except Air Traffic and safety services which are carried out by CACAS. The latter two exist by name only.

B. Provision of Air Navigation system

a) As mentioned earlier this Administration (CACAS) does not provide any of assistance and service concerned. CACAS is supposed to provide Air Traffic Control but only supplies information services. Their Air Traffic Controllers are not authorized by them to give any control to Aircrafts landing, instead they are told to land at their own discretion, a bush control see attached movement list which shows local and international flights.

- b) Negative, we are not satisfied with services provided by CACAS previously or currently, no proper ATC, no proper safety fire fighting services and no proper AIS. They are below ICAO standard and below the requirements of the Ministry of Civil Aviation of Somaliland as such.
- c) Our relation with CACAS is very poor lack of contact and co-ordination; we do not see any room for improvement present or future, while the present management of CACAS exists!!.

C. Airports.

- a) All Airports in the Republic of Somaliland come under the jurisdiction of the Ministry of Civil aviation, Republic of Somaliland, three are International Airports namely:-
 1. Hargeisa Egal International
 2. Berbera International Airport
 3. Burao International Airport

Four Commercial Aerodromes namely:-

1. Borama Airport
2. Kalabaydh Airport
3. Ceerigabo Airport
4. Las Anod Airport

The Runways and other operational services of all the seven Airports are maintained by the Ministry, although it has been the responsibility of CACAS to do so but during the last **12 years** CACAS was handling the Aviation matters in this country, they had **done nothing** except one time they assisted in filling several pot holes in the Runway and Taxi way at Hargeisa only. The power supply in the Airport including Emergency Runway lighting at Hargeisa Airport are maintained by the Somaliland Ministry.

The above was and has been the responsibility of CACAS which they also failed to do.

- b) The Authority of all Aerodromes are state owned and run by the Ministry.
- c) The source of Revenue obtained from these Airports are **Landing, Fees** only which is collected by the Ministry of Finance and put in to the Revenue of the country to pay salaries etc.
- d) Rescue and fire fighting is run by CACAS with few un trained so called firemen without proper fire fighting equipment except they currently operate with two old small pickups which carry two portable fire extinguishers on each vehicle at Hargeisa only. These are not capable of extinguishing fire on the smallest aircraft if fire happens, (God for hiding) Ground, handling and catering is run by a company called NASHA fuel supply is also supplied by a company “ STAR AVIATION”.

D. The Way Forward

- a) We do not favor the establishment of an independent authority for:-

- Regulation and over sight
- The provision of ANS
- The decentralization of Airport provision

These should be run by individual concerned state with the co-operation and over all supervision of ICAO.

b and c) We would favour that each state to run its own Aviation affairs and IATA collect over flight charges and distribute to the states through ICAO.

Thank you,

Ali Mohamed Waran-Adde

Minister of Civil aviation and Air-transport

Thank you,


Ali Mohamed Waran-Adde
Minister of Civil aviation and Air-transport

