



AFRICARAIL

Bénin - Burkina Faso - Niger - Togo



Government of Togo



Grand Duchy of
Luxembourg

Colloquium AFRICARAIL/UNIDROIT

Lomé, 17 November 2006

The Cape Town Convention and its Rail Protocol

A new driving force for rail investments in Africa

*A Colloquium held thanks to
the Ministry of Foreign Affairs of the Grand-Duchy of
Luxembourg
and the Ministry of transport of the Republic of Togo*

The Cape Town Convention and its Rail Protocol

A new driving force for rail investments in Africa

The Convention on International Interests in Mobile Equipment was adopted in Cape Town, South Africa, on 16 November 2001. This new international instrument aims at facilitating equipments financing where equipments are operated in the territories of more than one State by establishing an international framework governing the constitution, the registration and execution of an “international interest” held in these equipments.

The same day, a first protocol concerning aircraft equipments was issued under the joint auspices of the International Institute for the Unification of Private Law (UNIDROIT) and the International Civil Aviation Organization (ICAO). Its implementation has already revealed its economic impact and the adoption of the Aircraft Protocol occurred to be a great facility to render available new and safer aircrafts in developing countries.

A new protocol dealing with railway rolling stocks will be adopted by a forthcoming Diplomatic Conference in Luxembourg from 13 to 24 February 2007. In the run-up of these intergovernmental negotiations, after two regional Colloquiums held in Europe (Warsaw) and South America (Mexico), AFRICARAIL and UNIDROIT took the opportunity of the celebration of the Cape Town Convention’s fifth anniversary for inviting actors involved in railway infrastructure projects in Africa and for spelling out economic advantages they would obtain from the application of the Rail Protocol.

AFRICARAIL is an intergovernmental organization with its seat in Niamey (Niger) which purpose is the implementation of a regional interconnection railway project involving four States: Benin, Burkina-Faso, Niger and Togo (<www.africarail.org>).

The International Institute for the Unification of Private Law (UNIDROIT) is an intergovernmental organization with its seat in Rome (Italy). Its purpose is to study needs and methods for modernising, harmonising and co-ordinating private and, in particular, commercial law as between States and groups of States (<www.unidroit.org>).

9.00 a.m. *Welcome of participants*

9.30 a.m. *Opening statements by the host authorities*

9.30 / 11.00 a.m

First Item

The role of railway infrastructures for developing Africa

Round table

Chair: Adama Diagne (African Union of Railways)

Speakers: Representatives of African Union, African Union of Railways, African Development Bank, West African Development Bank, ECOWAS, West African Economic and Monetary Union, Ministries of transports.

11.00 / 12.30 a.m.

Second Item

Financing railway projects in Africa

A – *Conditions for the involvement of development banks* (M. Akakpo, Attorney at law, Lomé)

B – *Conditions for guarantee and insurance: the case of MIGA* (M. Egbeto, MIGA) (M. Protopsaltis, Attorney at law, Athens)

C – *Conditions for the involvement of development's partners: the case of the European Union* (Representatives of the European Commission and European Investment Bank)

D – *The Role of States in rail investment projects* (M. Poulain, Attorney at law, Paris)

Round table

Chair: Christian Adovelande (Chairman of the ECOWAS Bank for Investment and Development)

Speakers: Representative of the European Commission, Representative of the African Development Bank, Representative of ECOWAS Bank for Investment and Development, Representative of West African Economic and Monetary Union, Representative of Ministries of transports.

14.30 / 16.00 p.m.

Third Item

The Cape Town Convention and railway rolling stocks financing

A – *The Cape Town Convention: Introduction and principles* (M. Kronke, Secretary General, Unidroit)

B – *The Aircraft Protocol: results as of the day after the fifth anniversary* (M. Wool, Aviation Working Group)

C – *Rail Protocol presentation* (M. Rosen, Rail Working Group)

D – *Industry's position* (Representative of the Industry)

Round table

Chair: Herbert Kronke, Secretary General, Unidroit

Speakers: Representatives of OTIF, *Rail Working Group*, *Aviation Working Group*, Industry, African contracting States to the Cape Town Convention.

16.00 / 17.30 p.m.

Fourth Item

African States involvement in the work of Unidroit

A – *Presentation of the February 2007 Diplomatic Conference in Luxembourg* (M. Biever, Ministry of Foreign Affairs of the Grand-Duchy of Luxembourg)

B – *Different forms of involvement* (M. Kronke, Secretary General, Unidroit)

Round table

Chair: Ministry of transports for the Republic of Togo

Speakers: Representatives of Unidroit, OTIF, UIC, African Union of Railways, *Rail Working Group*, Ministry of Foreign Affairs of Luxembourg, African Union.

18.00 p.m. *Conclusions and closing ceremony*

Venue : Palm Beach Hotel, Lomé

Registration:

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