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**REPORT OF THE COMMISSION ON
MULTILATERAL COOPERATION**

REPORT OF THE COMMISSION ON MULTILATERAL COOPERATION

1. During the period under review, the Commission hosted the 2nd African Union (AU)-Organization of American States (OAS) Forum on “Challenges and Opportunities in the Promotion and Defense of Democracy and Human Rights in Africa and the Americas” in Addis Ababa from 12-13 October 2011 and also participated in the 8th Senior Officials Meeting of the Forum on China-Africa Cooperation (FOCAC) in Hangzhou, China, from 25-29 October 2011.

2. The 2nd African Union (AU) – Organization of American States (OAS) Forum was a follow up to the first Forum entitled “Democracy Bridge: Multilateral Regional Efforts for the Promotion and Defense of Democracy in Africa and the Americas” that was held at the OAS Headquarters in Washington D.C. in June 2007.

3. The Forum was attended by representatives of twenty-eight (28) Member States of the AU and nine (9) Member States of the OAS as well as representatives of the UN Economic Commission for Africa (UNECA), Institution for Democracy and Electoral Assistance (IDEA), the African Commission on Human and Peoples’ Rights (ACHPR), the African Court on Human and Peoples’ Rights (AfCHPR), AU Commission and the OAS Secretariat.

4. During the inaugural session, welcoming remarks were made by H.E. Dr. Ruben Maye Nsue Mangue, Chair of the AU Permanent Representatives Committee, while H.E. Dr. Jean Ping, Chairperson of the AU Commission delivered the Keynote Speech. Speeches were also made by H.E. Jose Miguel Insulza, Secretary General of the OAS, H.E. Vidar Helgesen, Secretary General of the International IDEA, who provided financial support for the hosting of the Forum and H.E. Ambassador Bayney Karran, Chair of the Permanent Council of the OAS.

5. The two-day Forum was conducted in two plenary sessions on day one, during which presentations were made by panelists from the AU, the OAS and IDEA, facilitated by a moderator and followed by a general debate. On day two, there were three parallel Working Groups, during which presentations were made by representatives from the AU and the OAS, also facilitated by a moderator and followed by a general debate. Conclusions were then drawn by rapporteurs of the two Panels and the three Working Groups, laying emphasis on plans for collaborative action by the AU and the OAS.

PANEL ONE: African Union and OAS Actions and Initiatives to support and protect OAS Actions and Initiatives to support and protect Democracy: Achievements and Future Challenges

6. A vision of the strategy, instruments and actions to strengthen democracy and democratic governance in Africa and the Americas was presented by AU Commission and OAS Secretariat experts, together with initiatives, programs and instruments specifically designed and adopted by the AU and the OAS for this purpose.

7. The presentations and discussions led to the following Conclusions:

- i) There is need to strengthen the culture of constitutionalism or democracy, which includes a clear separation of powers among the branches of government, respect for human rights and freedom of expression and an Independent Election Commission;
- ii) International IDEA should continue to serve as a facilitator at the experts level and consider the establishment of three Working Groups to address specific issues, namely: Constitutionalism and the Culture of Democracy; Elections and Public Services and Administration;
- iii) There is need for Democracy that is citizens-oriented and representative of women in politics, promotion of social inclusion and security of the citizens;
- iv) Since the party system and the governance system could determine the eventual success and failure of democracy, the electoral systems and procedures should ensure free and fair elections;
- v) There is need to reform the existing system of global governance and to bring on board new and emerging powers. In this context, the AU and OAS could work together on a number of areas, such as human rights, election observation, strengthening of institutions and processes and inclusive development and a Working Group should be established to look at these issues and foster a systematic exchange of best practices and case studies;
- vi) There is need to strengthen the capacity of the Pan-African Parliament, the enforcement mechanism of the African Commission on Human and People's Rights and the Human Rights Court to allow access to individuals and the RECs.

PANEL TWO: African Union and OAS Actions and Initiatives to Promote and Protect Human Rights: Challenges and Achievements

8. A presentation of the regional frameworks and legal systems in place in Africa and the Americas to protect and promote human rights was offered by Experts from the ACHPR, the AfCHPR, the Inter America Commission on Human Rights (IACHR) and the AUC and the OAS Secretariat, with detailed analysis of the reach, characteristics and challenges to the implementation of these objectives and the application of the instruments in each region.

9. The presentations and discussions led to the following Conclusions:

- i) There is need to explore ways to ensure convergence of activities between the two regions with respect to their respective Commissions and Courts;

- ii) Cooperation should be encouraged at various levels between Member States of the OAS and AU;
- iii) Promotion of exchange of staff between the two Regional Organizations;
- iv) Encourage interaction between the ACHPR and the AfCHPR as well as the IACHR and the Inter-American Court of Human Rights;
- v) The two Organizations should explore options of interlinking with similar Organizations, such as the EU, ASEAN, etc. to enrich knowledge and experience on related matters.

10. On the second day of the Forum, three simultaneous Working Groups deliberated on the Strengthening of Electoral Practices in Africa and the Americas; the Mechanisms for Conflict Prevention and Resolution and Regional Bodies in Charge of Promoting and Protecting Human Rights.

WORKING GROUP 1: Strengthening Electoral Practices in Africa and the Americas: The Experience and Future of Electoral Observation and Technical Cooperation

11. The Working Group reviewed the experience and goals of the AU and OAS to support electoral processes in their Member States through electoral observation, technical cooperation, knowledge-sharing activities and training of electoral management bodies and agreed that the following should be encouraged:

- (i) South-South cooperation between African and American Electoral Management Bodies (EMBs) through participation in intra-regional meetings;
- (ii) Collaboration in the conduct of an electoral training seminar for EMBs, building on existing collaboration with International IDEA in both regions;
- (iii) Cooperation on Electoral Observation Missions (EOMs), in terms of participation (shadowing), training (curricula exchanges), methodology exchanges (e.g. gender) and follow-up (e.g. development of databases of recommendations); and
- (iv) Sharing of ideas on ways to address the limited funding, recognizing the limited funds available.

WORKING GROUP 2: Mechanisms for Conflict Prevention and Resolution

12. In Working Group 2 on “Mechanisms for Conflict Prevention and Resolution”, the experts from the two Organizations made presentations, alluded to the available instruments and institutional structures and identified areas of convergence in mandates

and programme activities with regard to conflict prevention, conflict management and resolution.

13. The exchanges led to the following Conclusions:

- i) Cooperation between AU-OAS and other sub-regional organizations like ECOWAS, in the exchange of information in dealing with regional security issues, especially organized crime, drug and arms trafficking;
- ii) Exchange of information, experiences and technical expertise in the development and implementation of early warning and early response systems and mediation;
- iii) Exchange of information, experiences and technical expertise on management of borders, including border delimitation and demarcation as well as joint border cooperation for peace building around disputed borders;
- iv) Developing a compendium of best practices in:
 - a) early warning and early response/action;
 - b) mediation, border disputes; and
 - c) post-conflict reconstruction and institution building in the two regions.
- v) Sharing of a roster of eminent personalities and experts from Africa and the Americas to be called upon as needed for conflict prevention and management exchanges in the two regions;
- vi) Further enhance cooperation between the two regions on technical and logistics support in specific areas, particularly in the area of peace support operations in Africa, including peace building;
- vii) Create a common space for the inter-change of civil society organizations' experiences between Africa and the Americas in conflict prevention and resolution.

WORKING GROUP 3: Regional Bodies in Charge of Promoting and Protecting Human Rights

14. The experts and presenters in Working Group 3 had an interactive exchange and dialogue on specific best practices and current challenges in the execution of the respective bodies of their mandate, with emphasis on the areas of monitoring compliance, relationships between the Court and the Commission and working methods and practices, including case management by the respective organs, and drew the following Conclusions:

- i) Cross-cutting and incorporation of standards in the political organs and regional/national systems;
- ii) More constant exchanges of information;
- iii) The common interest on developing thematic areas of collaboration, for example, joint press releases, visits, joint declarations;
- iv) Colloquiums, including civil society on key pressing issues pertaining to both regions.

15. The Rapporteurs of each Working Group made presentations to the ensuing Plenary Session, where the outcomes of the discussion of the various groups were shared, together with agreed future actions in each area to deepen the institutional collaboration and the sharing of experiences between the African Union and the OAS within the framework of the MOU signed in October 2009.

16. The Forum was a success in many ways:

- i) It was a demonstration of a common desire to take the AU-OAS cooperation to a higher level;
- ii) It recognized the existence of convergence in certain areas, which need to be explored to the benefit of both Organizations;
- iii) It placed emphasis on finding solutions to challenges facing both Organizations in the areas of democracy and human rights;
- iv) It recognized the need for enhanced cooperation between the two regional bodies by establishing the appropriate mechanisms to do so, such as continuous working groups, exchange of personnel, organization of joint training activities, and sharing of experiences and best practices;
- v) It acknowledged the active and positive participation and contributions of Member States' representatives and encouraged their continued engagement in this collaborative process;
- vi) It further recognized the need to bring on board other stakeholders who have shown interest in funding joint programmes between the two Organizations.

RECOMMENDATIONS:

- i) Take note of the Report on the 2nd African Union (AU) – Organization of American States (OAS) Forum on Democracy and Human Rights in Africa and the Americas;

- ii) Commend the Commission for its initiatives culminating in the holding of the Forum;
- iii) Encourage the African Union Commission and the Organization of American States Secretariat to strengthen and deepen their cooperation, especially in the areas of democratic practices and respect for human rights;
- iv) Also encourage the African Commission on Human and Peoples' Rights and the African Court on Human and Peoples' Rights on the one hand and the Inter-America Commission of Human Rights and the Inter-American Court on Human Rights on the other hand, to explore ways to enhance convergence of their activities to ensure effective service delivery to their constituencies;
- v) Welcome the intention of the two Organizations to share ideas on and exchange staff for Electoral Observation Missions (EOMs);
- vi) Also welcome the intention of the two Organizations to share ideas and work together to address challenges facing Election Management Bodies (EMBs), including funding, traditions and cultural practices which deter inclusive participation in elections as well as the use of technologies for efficient electoral purposes;
- vii) Urge the two Organizations to enhance their cooperation in dealing with regional security issues, especially organized crime, money laundering, drugs and arms trafficking;
- viii) Also urge the two Organizations to develop a compendium of best practices in:
 - a) Early warning and early Response/Action;
 - b) Mediation, Border disputes Resolution; and
 - c) Post-conflict reconstruction and institution building.

17. The Commission also participated in the **8th Senior Officials Meeting of FOCAC** at the joint invitation of H. E. Lu SHAYE, the Secretary-General of the Secretariat of the Chinese Follow-up Committee of the Forum on China-Africa Cooperation (FOCAC) and Director-General of the African Department of the Ministry of Foreign Affairs of China and H. E. Mona Omar ATTIA, Assistant Minister of the Ministry of Foreign Affairs of the Republic of Egypt and Co-Chair country of the FOCAC. Delegations from 50 countries and Regional and Sub-Regional Organizations attended the meeting, alongside a number of Senior Chinese officials. The agenda focused on the Reports of the Five Sub-Regional Coordinators; the Report on the Implementation of the Follow-up Actions

of the Fourth Ministerial Conference of FOCAC in November 2009 as well as Preparations for and consideration of the Preliminary Report of the 5th Ministerial Conference.

18. During the Opening Ceremony, statements were made by H. E. Zhai Jun, Deputy Minister of Foreign Affairs of China; H. E. Fu Ziyang, Deputy Minister of Trade of China and Co-Chair of the Chinese Follow-up Committee of FOCAC; H. E. Mona Omar Attia, Assistant Minister of Foreign Affairs of Egypt and Co-Chair country of FOCAC; and H. E. Nolana Ta Ama, Ambassador of Togo and Dean of the African Diplomatic Corps in China. The following five Sub-Regional Coordinators, Morocco for North Africa, Nigeria for West Africa, Congo for Central Africa, Burundi for East Africa and Angola for Southern Africa presented reports of activities in their sub-regions. A comprehensive Report was presented by H. E. Lu SHAYE, Secretary General of the Secretariat of the Chinese Follow-up Committee of FOCAC. In reviewing the Report, several delegations expressed their satisfaction and gratitude for the results achieved in the implementation of the FOCAC agenda as well as the undertakings in the Declaration and Plan of Action of Sharm el Sheikh. They unanimously agreed to strengthen cooperation in priority areas like infrastructure, agriculture, manufacturing industries, technology transfer, development of human resources, climate change, regional peace and security, etc. They agreed to ensure the full implementation of all the follow-up actions of the Fourth Ministerial Conference and thereby deepen the new type of China-Africa strategic partnership.

19. Delegations were briefed on the preparations for the 5th Ministerial Conference of FOCAC in 2012. On the Theme, it was indicated that the provisional theme will be "Building on Past Achievement for a New type of China-Africa Strategic Partnership". On the Date and Venue, it was indicated that owing to internal political considerations, especially the fact that the 18th National Congress of the Party will be held in the last quarter of 2012, the 5th Ministerial Conference of the FOCAC in China will be held in mid- July 2012.

20. The 8th Senior Officials Meeting recognized the admission of South Sudan and the African Union as members of FOCAC. In AU's acceptance speech, Ambassador John K. SHINKAIYE, leader of the AU delegation, expressed gratitude on behalf of the Chairperson and the Commission as well as that of the African Union to China for accepting the AU as a full member of FOCAC. He referred to the Decision of the Heads of State and Government of the African Union which stipulated that the Commission should play a coordinating role in the management of partnerships in collaboration with the PRC and Africa's diplomatic representations in the capitals of countries/regions that have cooperation agreement with Africa" and averred that as the continent's interlocutor, the AUC intended to play a role in the FOCAC process through facilitation, coordination and follow-up and thereby bring added value as well as a continental dimension and vision to supplement the beneficial bilateral axis that China has established with so many African countries.

21. Unfortunately, four African countries, namely, Guinea Conakry, DRC, Mozambique and Morocco, led by Guinea, interrupted his intervention by raising points of order. While Morocco stated that it was not opposed to the AUC being a full member of FOCAC but only wanted its role to be defined. Guinea, DRC and Mozambique, for their part, stated that there was still no agreement on the membership of the AUC, much less its role, and objected strongly to the use of the expression “coordination of partnership”. While the Ambassador of Central African Republic did not speak, he told the AUC delegation that he will ensure that the AUC ” will coordinate nothing”.

22. In their reaction, some delegations like Ghana, Kenya, Nigeria, Senegal and South Africa, accepted the role of the AU in the FOCAC process and indicated that in the coming decade, there will be need for FOCAC to focus also on the aspect of multilateral cooperation, especially in the NEPAD agenda, to assist in the implementation of Africa’s main continental projects. In this respect, a number of Ambassadors later expressed their sympathy with the AU delegation and indicated that the interventions of those who opposed the AU’s role not only embarrassed them but did not represent their views.

23. The AU Delegation also participated in the following Side Events:

- a) First Meeting of China-Africa Think Tank Forum, which served as a potentially effective platform for strengthening academic exchanges to enrich the China-Africa partnership.
- b) Meeting between the AUC delegation and H.E. You Jianhua, Secretary General of a Network of Chinese NGOs, during which the two sides exchanged views on a wide range of issues of international interest and discussed ways and means through which the Network of Chinese NGOs can work closely and cooperate with Civil Society Organizations in Africa.
- c) Visit to the Municipality of YIWU, a major industrial and marketing centre, two miles drive away from Hangzhou.

24. It is worth pointing out that the participation of the AU delegation in the 8th Senior Officials Meeting of FOCAC was very positive, for several reasons. It was the first time that the AU participated as a full Member of FOCAC, which afforded the delegation a better appreciation and understanding of the FOCAC process vis-à-vis other partnerships. The FOCAC partnership emphasized more on the bilateral aspect of Africa-China relations, but the AU’s participation made it possible to draw attention to the need to focus also on the continental and multilateral aspects of the relationship.

25. It became apparent that there was a desire on the part of a few African Ambassadors in Beijing to ignore decisions taken by the policy organs of the AU and which they did not want to apply in China with respect to FOCAC. This needs to be tackled, so that the resident Ambassadors and the relevant organs of the AU could work in tandem and bring the necessary synergy to the FOCAC process to facilitate

achievements of the partnership at the continental level. This would also enable the AU to play a central role in the proper institutionalization and implementation of the FOCAC agenda for better results.

RECOMMENDATIONS:

- i) Take note of the Report of the 8th Senior Officials Meeting of FOCAC;
- ii) Call for the need to restructure and bring new dynamism to the FOCAC process and to put emphasis on the multilateral aspect of the FOCAC;
- iii) Also call for the need to strengthen cooperation in other important areas like the fight against terrorism, consular and legal matters, clandestine immigration, climate change, etc..
- iv) Urge the AU Commission, Member States, the African Diplomatic Missions in China and the Chinese Authorities to maintain regular consultations in the process of elaboration of all the documents for the 5th Ministerial Conference.
- v) Request the AU Commission to transmit to the Dean of the African Diplomatic Corps in China, Decision Ex.CL/543.XVI, relating to Multilateral Cooperation and on Africa's Strategic Partnerships, which affirms the role the AU should play in the Strategic Partnerships.
- vi) Urge Member States to enlighten and instruct their missions in the countries where the AU has partnership arrangements about their role and to respect the decisions of the Assembly.

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