

AFRICAN UNION

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**CONSIDERATION OF THE MEMORANDUM OF THE UNITED
CITIES AND LOCAL GOVERNMENTS OF AFRICA (UCLGA)**

(Item proposed by the Republic of South Africa)

**CONSIDERATION OF THE MEMORANDUM OF THE UNITED CITIES AND
LOCAL GOVERNMENTS OF AFRICA (UCLGA)**

PRESENTED BY

THE PRESIDENCY OF THE UCLGA

TO

**HIS EXCELLENCY THE HONOURABLE PRESIDENT OLUSEGUN OBASANJO,
GCFR, PRESIDENT OF THE FEDERAL REPUBLIC OF NIGERIA AND
CHAIRMAN OF THE AFRICAN UNION**

IN

ABUJA, FEDERAL REPUBLIC OF NIGERIA, 1 NOVEMBER 2005

BACKGROUND

One of the resolutions of the Africities 2 Summit held in the Republic of Namibia from 15 to 20 May 2000 was the formation of the Council of Cities and Regions of Africa (CCRA), an association of African local governments.

Related to that resolution was one mandating the organization to pursue the adoption and application of the principle of decentralization among all African States.

The Summit further mandated the Honourable Joel N. Kaapanda (MP), then Minister of Regional and Local Government and Housing in Namibia, to write to the African Union and seek the AU's recognition of three structures as expounded below:

1. An all Africa Ministerial Conference on Decentralization and Local Development (AMCOD) as a specialized Conference within the AU system.
2. A Pan-African organization of Local Government, referred to at that moment as the Council of Cities and Regions in Africa (CCRA), as a High Council of Local Government in Africa.
3. The Municipal Development Partnership (MDP) as the African institutional and technical support for decentralization – in this capacity serving, as well, as the Secretariat for AMCOD and a technical agency for the ACCRA.

In letters dated 29 September 2003, relayed via the Honourable Hidipo Hamutenya (MP), then Namibian Minister of Foreign Affairs, the Honourable Kaapanda (MP) wrote to the then Chairman of the AU, His Excellency President Joaquim Chissano; the Chairman of the AU Commission, the Honourable Mr. Alpha Omar Konaré; and the Chairman of the Permanent Representative Council (PRC) of the AU, the Honourable Ms Ana Nembe Uaiene. The letters formalized the request for the AU's recognition of the three structures in the terms then proposed.

In subsequent processes of the unification of local government in Africa the CCRA became the United Cities and Local Governments of Africa (UCLGA), which was formally founded in the City of Tshwane, South Africa, on 18 May 2005.

It is the UCLGA, as successor to the CCRA, which submits the present Memorandum to the African Union, and from that perspective the present Memorandum, in so far as the UCLGA (formerly CCRA) is concerned, replaces and supersedes every previous request made on behalf of the CCRA (now UCLGA) to the African Union, and this includes the contents of the letters of 29 September 2003 in so far as they refer to the CCRA (now UCLGA).

While the present Memorandum is in some senses a spiritual relative of previous requests addressed to the AU, it is materially different in some important respects.

Presented hereunder, therefore, is the Memorandum of the United Cities and Local Governments of Africa (UCLGA) to the African Union (AU):

1. FOUNDATION AND IDENTITY OF THE UCLGA

The United Cities and Local Governments of Africa (UCLGA) was founded in the City of Tshwane, South Africa, on 18 May 2005. It is an association of village, town and city councils; mayors and councilors; local government associations; as well as individuals and entities with an intimate interest in local government in Africa.

2. MOTIVATION AND SELF-IMAGE

The UCLGA is inspired by the noble ideal of African unity and development as personified and pursued by the African Union and the New Partnership for Africa's Development. As such, and believing that local government, as the sphere of government closest to the people, is one of the most appropriate vehicles for the implementation of development projects and programmes, the UCLGA sees itself as the local government extension of the Africa Union.

3. GRATITUDE TO PRESIDENT OLUSEGUN OBASANJO, GCFR AND THE AFRICAN UNION

It is against that background that the keynote address at the Founding Congress of the organization was delivered by His Excellency the Honourable President Olusegun Obasanjo, GCFR, President of the Federal Republic of Nigeria and Current Chairman of the African Union. The UCLGA is eternally grateful for the honour extended towards it by the African Union and President Obasanjo, particularly as he effectively took a detour from his official itinerary just to grace the UCLGA with his presence.

4. COMMITMENT TO COMPLEMENTARY AND SUBSIDIARY RELATIONSHIP WITH THE AFRICAN UNION AND NATIONAL AND PROVINCIAL/REGIONAL GOVERNMENTS

The presence of President Obasanjo was, for the UCLGA, an acknowledgement of its potential place on the continent as a junior partner of the AU – the AU being the union of national governments and the UCLGA that of local governments in Africa, both being public institutions emanating from democratic processes.

Accordingly, the UCLGA sees itself in a complementary but subsidiary relationship with the AU, and the UCLGA's member municipalities see themselves as complementary but subsidiary to their national and provincial or regional spheres of government.

5. LOCAL GOVERNMENT AS A DISTINCT BUT SUBSIDIARY SPHERE OF GOVERNMENT

It is, however, common cause that not all African States have local government as a constitutionally or legislatively distinct sphere of government.

6. RECOGNITION OF THE UCLGA AND THE PRINCIPLE OF A LOCAL GOVERNMENT SYSTEM EXISTING AS A DISTINCT BUT SUBSIDIARY SPHERE OF GOVERNMENT

Informed by our belief that the devolution of authority, responsibility and accountability to the local echelons of government is in the interests of effective delivery of basic services and development broadly, as well as deepening democracy and the culture of civic responsibility and participation in local development;

And convinced, based on best practice in Africa and elsewhere in the world, that local governments can only be maximally effective in a context where they are a distinct but subsidiary sphere of government recognized as such constitutionally or legislatively;

And recognizing the leadership of the African Union in all matters relating to the government and governance of the continent of Africa, and the primacy and leadership of national governments in the government and governance of the individual countries of Africa;

And seeing the UCLGA and its member associations and municipalities enhancing the implementation of NEPAD's development programme at the local level as well as facilitating the involvement of local communities in their own development;

And cognizant of the contribution of local government to peace-building and peacekeeping among communities, societies and peoples of the continent;

And committed to the UCLGA as the representative voice of local government in Africa;

We pray:

- 6.1** For the African Union's endorsement of the development and adoption of an African Charter to devolve appropriate authority, responsibility and accountability to local governments on the continent;
- 6.2** For the African Union's endorsement of the principle of establishing local government legislatively or constitutionally as a distinct but subsidiary sphere of government in the Member States of the African Union;
- 6.3** For the African Union's recognition of the UCLGA as the representative of local government in Africa;
- 6.4** For the UCLGA to be accorded the status, with attendant responsibilities, of the local government organ of the African Union; and
- 6.5** For the establishment of a working group between the Commissions of the African union and the UCLGA to take the process forward.

7. ANNEXURE

In support of our prayer above we attach, hereto, addressed to the African Union, our Organization's Charter of Commitment to the Establishment of Local Government as a Distinct Sphere of Government in Africa.

8. PRESENTATION AND ACKNOWLEDGEMENT OF RECEIPT

Presented by: **(signed)**

(On behalf of the UCLGA)

Received by: **(signed)**

(On behalf of the African Union)

On this, the 1st day of November 2005 in Abuja, Federal Republic of Nigeria.

2005

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