

**DECISION ON THE ESTABLISHMENT OF
AN AFRICAN FRAMEWORK FOR CONSTITUTIONAL JUSTICE
Doc. Assembly/AU/17(XVII) Add. 5**

The Assembly,

1. **REITERATES** Africa's commitment to the universal values and principles of Rule of Law, Democracy and Human Rights;
2. **RECALLS**, in this regard, that the Constitutive Act of the African Union underscores the will of the Heads of State and Government of the African Union to "promote and protect human and peoples' rights, consolidate democratic institutions and cultures, and ensure good governance and the rule of law";
3. **RECALLS ALSO** that the African Charter on Democracy, Election and Governance reaffirms that Member States shall be guided by the "common mission to strengthen and consolidate the institutions for good governance, continental unity and solidarity";
4. **RECALLS WITH SATISFACTION** that African countries have progressively provided for themselves, individually, judicial mechanism for control of the constitutionality of laws;
5. **WELCOMES** Algeria's initiative in creating an African Framework for Constitutional Justice, as a collective space for consultation, experience-sharing and cooperation in the area of constitutional control;
6. **NOTES** that the said Framework is intended to complement the various mechanisms established by the African Union to consolidate the Rule of Law, Democracy and the primacy of the law in the Continent; and **AFFIRMS** that the Framework, once created, will enable Africa to bring its contribution to bear, at international level, in the domain of constitutional justice;
7. **DECLARES**, in this connection, that Africa should get itself in readiness for the Conference scheduled to take place in Rio de Janeiro in January 2011, at which it is expected that a global Framework for Constitutional Courts and Councils would be established, in pursuance of the meetings held in Seoul, Vilnius and Algiers, which prepared the First World Conference on Constitutional Justice held in Cape Town, South Africa, in January 2009;

Adopted by the Fifteenth Ordinary Session of the Assembly of the Union on 27 July 2010 in Kampala, Uganda

8. **ENCOURAGES** Member States to convene a Conference of the **Presidents** of African Constitutional Courts and Councils in any Member State to deliberate on the project to establish an African Framework for Constitutional Justice;
9. **REQUESTS** African Union Commission to follow up on the issue and work towards achieving this objective.



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