

ORGANIZATION OF AFRICAN UNITY

**Charter of the Organization of
African Unity**

**Protocol of the Commission of
Mediation, Conciliation & Arbitration**

**Functions and Regulations of the
General Secretariat**

ORGANIZATION OF AFRICAN UNITY

Charter of the Organization of
African Unity

Protocol of the Commission of
Mediation, Conciliation & Arbitration

Functions and Regulations of the
General Secretariat

*Published by the General Secretariat
of the Organization of African Unity
Addis Ababa, 1965*

TABLE OF CONTENT

<i>Charter of the Organization of African Unity</i>	<i>5</i>
<i>Protocol of the Commission of Mediation, Conciliation</i>	
<i>and Arbitration</i>	<i>15</i>
<i>Functions and Regulations of the General Secretariat</i>	<i>23</i>

Charter of the Organization of African Unity

ADDIS ABABA, May 1963.

CHARTER OF THE ORGANIZATION OF AFRICAN UNITY

We, the Heads of African States and Governments assembled in the City of Addis Ababa, Ethiopia;

CONVINCED that it is the inalienable right of all people to control their own destiny;

CONSCIOUS of the fact that freedom, equality, justice and dignity are essential objectives for the achievement of the legitimate aspirations of the African peoples;

CONSCIOUS of our responsibility to harness the natural and human resources of our continent for the total advancement of our peoples in spheres of human endeavour;

INSPIRED by a common determination to promote understanding among our peoples and co-operation among our States in response to the aspirations of our peoples for brotherhood and solidarity, in a larger unity transcending ethnic and national differences;

CONVINCED that, in order to translate this determination into a dynamic force in the cause of human progress, conditions for peace and security must be established and maintained;

DETERMINED to safeguard and consolidate the hard-won independence as well as the sovereignty and territorial integrity of our States, and to fight against neo-colonialism in all its forms;

DEDICATED to the general progress of Africa;

PERSUADED that the Charter of the United Nations and the Universal Declaration of Human Rights, to the principles of which we reaffirm our adherence, provide a solid foundation for peaceful and positive co-operation among States;

DESIROUS that all African States should henceforth unite so that the welfare and well-being of their peoples can be assured;

RESOLVED to reinforce the links between our states by establishing and strengthening common institutions;

HAVE agreed to the present Charter.

ESTABLISHMENT

Article I

1. The High Contracting Parties do by the present Charter establish an Organization to be known as the ORGANIZATION OF AFRICAN UNITY.
2. The Organization shall include the Continental African States, Madagascar and other Islands surrounding Africa.

PURPOSES

Article II

1. The Organization shall have the following purposes;
 - a. to promote the unity and solidarity of the African States;

- b. to co-ordinate and intensify their co-operation and efforts to achieve a better life for the peoples of Africa;
 - c. to defend their sovereignty, their territorial integrity and independence;
 - d. to eradicate all forms of colonialism from Africa; and
 - e. to promote international co-operation, having due regard to the Charter of the United Nations and the Universal Declaration of Human Rights.
2. To these ends, the Member States shall co-ordinate and harmonize their general policies, especially in the following fields;
- a. political and diplomatic co-operation;
 - b. economic co-operation, including transport and communications;
 - c. educational and cultural co-operation;
 - d. health, sanitation, and nutritional co-operation;
 - e. scientific and technical co-operation; and
 - f. co-operation for defence and security.

PRINCIPLES

Article III

The Member States, in pursuit of the purposes stated in Article II, solemnly affirm and declare their adherence to the following principles:

- 1. the sovereign equality of all Member States;
- 2. non-interference in the internal affairs of States;
- 3. respect for the sovereignty and territorial integrity of each State and for its inalienable right to independent existence;
- 4. peaceful settlement of disputes by negotiation, mediation, conciliation or arbitration;
- 5. unreserved condemnation, in all its forms, of political assassination as well as of subversive activities on the part of neighbouring States or any other States;
- 6. absolute dedication to the total emancipation of the African territories which are still dependent;
- 7. affirmation of a policy of non-alignment with regard to all blocs.

MEMBERSHIP

Article IV

Each independent sovereign African State shall be entitled to become a Member of the Organization.

RIGHTS AND DUTIES OF MEMBER STATES

Article V

All Member States shall enjoy equal rights and have equal duties.

Article VI

The Member States pledge themselves to observe scrupulously the principles enumerated in Article III of the present Charter.

INSTITUTIONS

Article VII

The Organization shall accomplish its purposes through the following principal institutions:

1. the Assembly of Heads of State and Government;
2. the Council of Ministers;
3. the General Secretariat;
4. the Commission of Mediation, Conciliation and Arbitration.

THE ASSEMBLY OF HEADS OF STATE AND GOVERNMENT

Article VIII

The Assembly of Heads of State and Government shall be the supreme organ of the Organization. It shall, subject to the provisions of this Charter, discuss matters of common concern to Africa with a view to co-ordinating and harmonizing the general policy of the Organization. It may in addition review the structure, functions and acts of all the organs and any specialized agencies which may be created in accordance with the present Charter.

Article IX

The Assembly shall be composed of the Heads of State and Government or their duly accredited representatives and it shall meet at least once a year. At the request of any Member State and on approval by a two-thirds majority of the Member States, the Assembly shall meet in extraordinary session.

Article X

1. Each Member States shall have one vote.
2. All resolutions shall be determined by a two-thirds majority of the Members of the Organization.
3. Questions of procedure shall require a simple majority. Whether or not a question is one of procedure shall be determined by a simple majority of all Member States of the Organization.
4. Two-thirds of the total membership of the Organization shall form a quorum at any meeting of the Assembly.

Article XI

The Assembly shall have the power to determine its own rules of procedure.

THE COUNCIL OF MINISTERS

Article XII

1. The Council of Ministers shall consist of Foreign Ministers or such other Ministers as are designated by the Governments of Member States.
2. The Council of Ministers shall meet at least twice a year. When requested by any Member State and approved by two-thirds of all Member States, it shall meet in extraordinary session.

Article XIII

1. The Council of Ministers shall be responsible to the Assembly of Heads of State and Government. It shall be entrusted with the responsibility of preparing conferences of the Assembly.

2. It shall take cognisance of any matter referred to it by the Assembly. It shall be entrusted with the implementation of the decision of the Assembly of Heads of State and Government. It shall co-ordinate inter-African co-operation in accordance with the instructions of the Assembly and in conformity with Article II (2) of the present Charter.

Article XIV

1. Each Member State shall have one vote.
2. All resolutions shall be determined by a simple majority of the members of the Council of Ministers.
3. Two-thirds of the total membership of the Council of Ministers shall form a quorum for any meeting of the Council.

Article XV

The Council shall have the power to determine its own rules of procedure.

GENERAL SECRETARIAT

Article XVI

There shall be an Administrative Secretary-General of the Organization, who shall be appointed by the Assembly of Heads of State and Government. The Administrative Secretary-General shall direct the affairs of the Secretariat.

Article XVII

There shall be one or more Assistant Secretaries-General of the Organization, who shall be appointed by the Assembly of Heads of State and Government.

Article XVIII

The functions and conditions of services of the Secretary-General, of the Assistant Secretaries-General and other employees of the Secretariat shall be governed by the provisions of this Charter and the regulations approved by the Assembly of Heads of State and Government.

1. In the performance of their duties the Administrative Secretary-General and the staff shall not seek or receive instructions from any government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization.
2. Each member of the Organization undertakes to respect the exclusive character of the responsibilities of the Administrative Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.

COMMISSION OF MEDIATION, CONCILIATION AND ARBITRATION

Article XIX

Member States pledge to settle all disputes among themselves by peaceful means and, to this end decide to establish a Commission of Mediation, Conciliation and Arbitration, the composition of which and conditions of service shall be defined by a separate Protocol to be approved by the Assembly of Heads of State and Government. Said Protocol shall be regarded as forming an integral part of the present Charter.

SPECIALIZED COMMISSIONS

Article XX

The Assembly shall establish such Specialized Commissions as it may deem necessary, including the following:

1. Economic and Social Commission;
2. Educational and Cultural Commission;
3. Health, Sanitation and Nutrition Commission;
4. Defence Commission;
5. Scientific, Technical and Research Commission.

Article XXI

Each Specialized Commission referred to in Article XX shall be composed of the Ministers concerned or other Ministers or Plenipotentiaries designated by the Governments of the Member States.

Article XXII

The functions of the Specialized Commissions shall be carried out in accordance with the provisions of the present Charter and of the regulations approved by the Council of Ministers.

THE BUDGET

Article XXIII

The budget of the Organization prepared by the Administrative Secretary-General shall be approved by the Council of Ministers. The budget shall be provided by contributions from Member States in accordance with the scale of assessment of the United Nations; provided, however, that no Member States shall be assessed an amount exceeding twenty percent of the yearly regular budget of the Organization. The Member States agree to pay their respective contributions regularly.

SIGNATURE AND RATIFICATION OF CHARTER

Article XXIV

1. This Charter shall be open for signature to all independent sovereign African States and shall be ratified by the signatory States in accordance with their respective constitutional processes.

2. The original instrument, done, if possible in African languages, in English and French, all texts being equally authentic, shall be deposited with the Government of Ethiopia which shall transmit certified copies thereof to all independent sovereign African States.

3. Instruments of ratification shall be deposited with the Government of Ethiopia, which shall notify all signatories of each such deposit.

ENTRY INTO FORCE

Article XXV

This Charter shall enter into force immediately upon receipt by the Government of Ethiopia of the instruments of ratification from two thirds of the signatory States.

REGISTRATION OF THE CHARTER

Article XXVI

This Charter shall, after due ratification, be registered with the Secretariat of the United Nations through the Government of Ethiopia in conformity with Article 102 of the Charter of the United Nations.

INTERPRETATION OF THE CHARTER

Article XXVII

Any question which may arise concerning the interpretation of this Charter shall be decided by a vote of two-thirds of the Assembly of Heads of State and Government of the Organization.

ADHESION AND ACCESSION

Article XXVIII

1. Any independent sovereign African States may at any time notify the Administrative Secretary-General of its intention to adhere or accede to this Charter.
2. The Administrative Secretary-General shall, on receipt of such notification, communicate a copy of it to all the Member States. Admission shall be decided by a simple majority of the Member States. The decision of each Member State shall be transmitted to the Administrative Secretary General, who shall, upon receipt of the required number of votes, communicate the decision to the State concerned.²

MISCELLANEOUS

Article XXIX

The working languages of the Organization and all its institutions shall be, if possible African languages, English and French.

Article XXX

The Administrative Secretary-General may accept on behalf of the Organization gifts, bequests and other donations made to the Organization, provided that this is approved by the Council of Ministers.

Article XXXI

The Council of Ministers shall decide on the privileges and immunities to be accorded to the personnel of the Secretariat in the respective territories of the Member States.

CESSATION OF MEMBERSHIP

Article XXXII

Any State which desires to renounce its membership shall forward a written notification to the Administrative Secretary-General. At the end of one year from the date of such notification, if not withdrawn, the Charter shall cease to apply with respect to the renouncing State, which shall thereby cease to belong to the Organization.

AMENDMENT OF THE CHARTER

Article XXXIII

This Charter may be amended or revised if any Member State makes a written request to the Administrative Secretary-General to that effect; provided, however, that the proposed amendment is not submitted to the Assembly for consideration until all the Member States have been duly notified of it and a period of one year has elapsed. Such an amendment shall not be effective unless approved by at least two-thirds of all the Member States.

IN FAITH WHEREOF, We, the Heads of African State and Government have signed this Charter.

Done in the City of Addis Ababa, Ethiopia this 25th day of May, 1963.

ALGERIA	MALI
BURUNDI	MAURITANIA
CAMEROUN	MOROCCO
CENTRAL AFRICAN REPUBLIC	NIGER
CHAD	NIGERIA
CONGO (Brazzaville)	RWANDA
CONGO (Leopoldville)	SENEGAL
DAHOMY	SIERRA LEONE
ETHIOPIA	SOMALIA
GABON	SUDAN
GHANA	TANGANYIKA
GUINEA	TOGO
IVORY COAST	TUNISIA
LIBERIA	UGANDA
LIBYA	UNITED ARAB REPUBLIC
MADAGASCAR	UPPER VOLTA

Protocol of the Commission of Mediation, Conciliation and Arbitration

**PROTOCOL OF THE COMMISSION OF MEDIATION
CONCILIATION AND ARBITRATION**

**PART I
ESTABLISHMENT AND ORGANIZATION**

Article I

The Commission of Mediation, Conciliation and Arbitration established by Article XIX of the Charter of the Organization of African Unity shall be governed by the provisions of the present Protocol.

Article II

1. The Commission shall consist of twenty-one members elected by the Assembly of Heads of State and Government.
2. No two Members shall be nationals of the same State.
3. The Members of the Commission shall be persons with recognized professional qualifications.
4. Each Member State of the Organization of African Unity shall be entitled to nominate two candidates.
5. The Administrative Secretary-General shall prepare a list of the candidates nominated by Member States and shall submit it to the Assembly of Heads of State and Government.

Article III

1. Members of the Commission shall be elected for a term of five years and shall be eligible for re-election.
2. Members of the Commission whose terms of office have expired shall remain in office until the election of a new Commission.
3. Notwithstanding the expiry of their terms of office, Members shall complete any proceedings in which they are already engaged.

Article IV

Members of the Commission shall not be removed from office except by decision of the Assembly of Heads of State and Government, by a two-thirds majority of the total membership, on the grounds of inability to perform the functions of their office or of proved misconduct.

Article V

1. Whenever a vacancy occurs in the Commission, it shall be filled in conformity with the provisions of Article II.
2. A Member of the Commission elected to fill a vacancy shall hold office for the unexpired term of the Member he has replaced.

Article VI

1. A President and two Vice-Presidents shall be elected by the Assembly of Heads of State and Government from among the Members of the Commission

who shall each hold office for five years. The President and the two Vice-Presidents shall not be eligible for reelection as such officers.

2. The President and the two Vice-Presidents shall be full-time members of the Commission, while the remaining eighteen shall be part-time Members.

Article VII

The President and the two Vice-Presidents shall constitute the Bureau of the Commission and shall have the responsibility of consulting with the parties as regards the appropriate mode of settling the dispute in accordance with this Protocol.

Article VIII

The salaries and allowances of the Members of the Bureau and the remuneration of the other Members of the Commission shall be determined in accordance with the provisions of the Charter of the Organization of African Unity.

Article IX

1. The Commission shall appoint a Registrar and may provide for such other officers as may be deemed necessary.

2. The terms and conditions of service of the Registrar and other administrative officers of the Commission shall be governed by the Commission's Staff Regulations.

Article X

The Administrative expenses of the Commission shall be borne by the Organization of African Unity. All other expenses incurred in connection with the proceedings before the Commission shall be met in accordance with the Rules of Procedure of the Commission.

Article XI

The Seat of the Commission shall be at Addis Ababa, Ethiopia.

PART II

GENERAL PROVISIONS

Article XII

The Commission shall have jurisdiction over disputes between States only.

Article XIII

1. A dispute may be referred to the Commission jointly by the parties concerned, by a party to the dispute, by the Council of Ministers or by the Assembly of Heads of State and Government.

2. Where a dispute has been referred to the Commission as provided in paragraph 1, and one or more of the parties have refused to submit to the jurisdiction of the Commission, the Bureau shall refer the matter to the Council of Ministers for consideration.

Article XIV

The consent of any party to a dispute to submit to the jurisdiction of the Commission may be evidenced by :

- (a) a prior written undertaking by such party that there shall be recourse to Mediation, Conciliation or Arbitration;
- (b) reference of a dispute by such party to the Commission; or
- (c) submission by such party to the jurisdiction in respect of a dispute referred to the Commission by another State, by the Council of Ministers, or by the Assembly of Heads of State and Government.

Article XV

Member States shall refrain from any act or omission that is likely to aggravate a situation which has been referred to the Commission.

Article XVI

Subject to the provisions of this Protocol and any special agreement between the parties, the Commission shall be entitled to adopt such working methods as it deems to be necessary and expedient and shall establish appropriate rules of procedure.

Article XVII

The Members of the Commission, when engaged in the business of the Commission, shall enjoy diplomatic privileges and immunities as provided for in the Convention on Privileges and Immunities of the Organization of African Unity.

Article XVIII

Where, in the course of Mediation, Conciliation or Arbitration, it is deemed necessary to conduct an investigation or inquiry for the purpose of elucidating facts or circumstances relating to a matter in dispute, the parties concerned and all other Member States shall extend to those engaged in any such proceedings the fullest co-operation in the conduct of such investigation or inquiry.

Article XIX

In case of a dispute between Member States, the parties may agree to resort to any one of these modes of settlement : Mediation, Conciliation and Arbitration.

PART III MEDIATION

Article XX

When a dispute between Member States is referred to the Commission for Mediation, the President shall, with the consent of the parties, appoint one or more members of the Commission to mediate the dispute.

Article XXI

1. The role of the mediator shall be confined to reconciling the views and claims of the parties.

2. The mediator shall make written proposals to the parties as expeditiously as possible.

3. If the means of reconciliation proposed by the mediator are accepted, they shall become the basis of a protocol of arrangement between the parties.

PART IV CONCILIATION

Article XXII

1. A request for the settlement of a dispute by conciliation may be submitted to the Commission by means of a petition addressed to the President by one or more of the parties to the dispute.

2. If the request is made by only one of the parties, that party shall indicate that prior written notice has been given to the other party.

3. The petition shall include a summary explanation of the grounds of the dispute.

Article XXIII

1. Upon receipt of the petition, the President shall, in agreement with the parties, establish a Board of Conciliators, of whom three shall be appointed by the President from among the Members of the Commission, and one each by the parties.

2. The Chairman of the Board shall be a person designated by the President from among the three Members of the Commission.

3. In nominating persons to serve as Members of the Board, the parties to the dispute shall designate persons in such a way that no two Members of it shall be nationals of the same State.

Article XXIV

1. It shall be the duty of the Board of Conciliators to clarify the issues in dispute and to endeavour to bring about in agreement between the parties upon mutually acceptable terms.

2. The Board shall consider all questions submitted to it and may undertake any inquiry or hear any person capable of giving relevant information concerning the dispute.

3. In the absence of agreement between the parties, the Board shall determine its own procedure.

Article XXV

The parties shall be represented by agents, whose duty shall be to act as intermediaries between them and the Board. They may moreover be assisted by counsel and experts and may request that all persons whose evidence appears to the Board to be relevant shall be heard.

Article XXVI

1. At the close of the proceedings, the Board shall draw up a report stating either:

- (a) that the parties have come to an agreement and, if the need arises, the terms of the agreement and any recommendations for settlement made by the Board; or
 - (b) that it has been impossible to effect a settlement.
2. The Report of the Board of Conciliators shall be communicated to the parties and to the President of the Commission without delay and may be published only with the consent of the parties.

PART V ARBITRATION

Article XXVII

1. Where it is agreed that arbitration should be resorted to, the Arbitral Tribunal shall be established in the following manner:
 - (a) each party shall designate one arbitrator from among the Members of the Commission having legal qualifications;
 - (b) the two arbitrators thus designated shall, by common agreement, designate from among the Members of the Commission a third person who shall act as Chairman of the Tribunal;
 - (c) where the two arbitrators fail to agree, within one month of their appointment, in the choice of the person to be Chairman of the Tribunal, the Bureau shall designate the Chairman.
2. The President may, with the agreement of the parties, appoint to the Arbitral Tribunal two additional Members who need not be Members of the Commission but who shall have the same powers as the other Members of the Tribunal.
3. The arbitrators shall not be nationals of the parties, or have their domicile in the territories of the parties, or be employed in their service, or have served as mediators or conciliators in the same dispute. They shall all be of different nationalities.

Article XXVIII

Recourse to arbitration shall be regarded as submission in good faith to the award of the Arbitral Tribunal.

Article XXIX

1. The parties shall, in each case, conclude a *compromis* which shall specify:
 - (a) the undertaking of the parties to go to arbitration, and to accept as legally binding, the decision of the Tribunal;
 - (b) the subject matter of the controversy; and
 - (c) the seat of the Tribunal.
2. The *compromis* may specify the law to be applied by the Tribunal and the power, if the parties so agree, to adjudicate *ex aequo et bono*, the time-limit within which the award of the arbitrators shall be given, and the appointment of agent and counsel to take part in the proceedings before the Tribunal.

Article XXX

In the absence of any provision in the *compromis* regarding the applicable law, the Arbitral Tribunal shall decide the dispute according to treaties concluded

between the parties, International Law, the Charter of the Organization of African Unity, the Charter of the United Nations and, if the parties agree, *ex aequo et bono*.

Article XXXI

1. Hearings shall be held in *camera* unless the arbitrators decide otherwise.
2. The record of the proceedings signed by the arbitrators and the Registrar shall alone be authoritative.
3. The arbitral award shall be in writing and shall, in respect of every point decided, state the reasons on which it is based.

PART VI

FINAL PROVISIONS

Article XXXII

The present Protocol shall, after approval by the Assembly of Heads of State and Government, be an integral part of the Charter of the Organization of African Unity.

Article XXXIII

This Protocol may be amended or revised in accordance with the provisions of Article XXXIII of the Charter of the Organization of African Unity.

IN FAITH WHEREOF, We the Heads of African State and Government, have signed this Protocol.

Done at Cairo, (United Arab Republic), on the 21st day of July, 1964.

ALGERIA
BURUNDI
CAMEROUN
CENTRAL AFRICAN REPUBLIC
CHAD
CONGO (Brazzaville)
DAHOMEY
ETHIOPIA
GABON
GHANA
GUINEA
IVORY COAST
KENYA
LIBERIA
LIBYA
MADAGASCAR
MALAWI

MALI
MAURITANIA
MOROCCO
NIGER
NIGERIA
RWANDA
SENEGAL
SIERRAL LEONE
SOMALIA
SUDAN
TOGO
TUNISIA
UGANADA
UNITED ARAB REPUBLIC
UNITED REPUBLIC OF TANGA-
NYIKA AND ZANZIBAR
UPPER VOLTA

**Functions and Regulations
of the General Secretariat**

THE GENERAL SECRETARIAT

PART I

Rule 1

The General Secretariat, as a central and permanent organ of the Organization of African Unity, shall carry out the functions assigned to it by the Charter of the Organization, those that might be specified in other treaties and agreements among the Member States, and those that are established in these Regulations.

Rule 2

The General Administrative Secretariat shall supervise the implementation of decisions of the Council of Ministers concerning all economic, social, legal and cultural exchanges of Member States:

- (i) keeps in custody the documents and files of the meetings of the Assembly, the Council of Ministers, of the Specialized Commissions and other organs of the Organization of African Unity;
- (ii) within its possibilities, the General Secretariat shall place at the disposal of the Specialized Commissions the technical and administrative services that may be requested. In case a session of a Specialized Commission is held outside the Headquarters of the Organization, at the request of a Member State, the General Secretariat shall conclude agreements or contracts with the Government of the Member State on whose territory the Session of the Specialized Commission is being held, to guarantee adequate compensation of the disbursements incurred by the General Secretariat;
- (iii) receives communications of ratification of instruments of agreements entered into between Member States.
- (iv) prepares an Annual Report of the activities of the Organization;
- (v) prepares for submission to the Council, a report of the activities carried out by the Specialized Commission;
- (vi) prepares the Programme and Budget of the Organization for each Fiscal Year, to be submitted to the Council of Ministers, for its consideration and approval.

Rule 3

The General Secretariat of the Organization of African Unity is the Secretariat of the Assembly, of the Council of Ministers, of the Specialized Commissions and other organs of the Organization of African Unity.

Rule 4

The Organization of African Unity has its Headquarters in the City of Addis Ababa.

Rule 5

The Headquarters for the official use of the Organization, for objectives and purposes strictly compatible with the objectives and purposes set forth in the Charter of the Organization. The Administrative Secretary-General may authorize the celebration of meetings or social functions in the Headquarters of the Organization when such meetings or functions are closely linked, or are compatible with the objectives and purposes of the Organization.

PART II

THE ADMINISTRATIVE SECRETARY-GENERAL AND THE ASSISTANT ADMINISTRATIVE SECRETARIES-GENERAL

The Administrative Secretary-General

Rule 6

The Administrative Secretary-General directs the activities of the General Secretariat and is its legal representative;

Rule 7

The Administrative Secretary-General is directly responsible to the Council of Ministers for the adequate discharge of all duties assigned to him.

Rule 8

The appointment, term of office and removal of the Administrative Secretary-General are governed by the provisions of Articles XVI and XVIII of the Charter and of the Rules of Procedure of the Assembly.

Rule 9

The participation of the Administrative Secretary-General in the deliberations of the Assembly, of the Council of Ministers, of the Specialized Commissions and other organs of the Organization shall be governed by the provisions of the Charter and by the respective Rules of Procedure of these bodies.

Rule 10

The Administrative Secretary-General shall submit reports requested by the Assembly, the Council of Ministers and the Commissions.

Rule 11

The Administrative Secretary-General shall furthermore:

- (i) carry out the provisions of Article XVIII of the Charter, and submit Staff Rules to the Council of Ministers for approval;
- (ii) transmit to Member States the Budget and Programme of Work at least one month before the convocation of the sessions of the Assembly, of the Council of Ministers, of the Specialized Commissions and of other organs of the Organization;

- (iii) receive the notification of adherence or accession to the Charter and communicate such notification to Member States, as provided in Article XXVIII of the Charter;
- (iv) receive the notification of Member States which may desire to renounce their membership in the Organization as provided in Article XXXII of the Charter;
- (v) communicate to Member States, and include in the Agenda of the Assembly, as provided in Article XXXIII of the Charter, written requests of Member States for amendments or revisions of the Charter;
- (vi) establish, with the approval of the Council of Ministers, such branches and administrative and technical offices as may be necessary to achieve the objectives and purposes of the Organization;
- (vii) abolish, with the approval of the Council of Ministers, such branches and administrative and technical offices as may be deemed necessary for the adequate functioning of the General Secretariat.

The Assistant Administrative Secretaries-General

Rule 12

The appointment, term of office and removal of the Assistant Administrative Secretaries-General are governed by the provisions of Articles XVI and XVII of the Charter and the Rules of Procedure of the Assembly.

Rule 13

The Administrative Secretary-General shall designate one of the Assistant Administrative Secretaries-General who will represent him in all matters assigned to him.

Rule 14

One of the Assistant Administrative Secretaries-General shall exercise the functions of the Administrative Secretary-General in his absence, or because of any temporary incapacity of the Administrative Secretary-General, and shall assume the office of the Administrative Secretary-General for the unexpired term in case of a definite vacancy. In case of definite vacancy, the Council will designate one of the Assistant Administrative Secretaries-General who will replace the Administrative Secretary-General provisionally.

PART III

ORGANIZATION OF THE GENERAL SECRETARIAT

Rule 15

The General Secretariat has the following departments:

- (i) the Political, Legal and Defence Department;
- (ii) the Economic and Social Department;
- (iii) the Administrative, Conference and Information Department.

The Administrative Secretary-General shall create divisions and sub-divisions, as he may deem necessary, with the approval of the Council.

PART IV
FISCAL RULES

Rule 16

The Administrative Secretary-General shall prepare the Programme and Budget of the Organization as provided in Article XXIII of the Charter, and shall submit it to the Council of Ministers for scrutiny and approval during its first ordinary session.

Rule 17

The proposed Programme and Budget shall comprise the programme of activities of the General Secretariat of the Organization. It shall include the expenses of the Assembly, of the Council of Ministers, of the Specialized Commission and of other organs of the Organization.

Rule 18

In formulating the Programme and Budget of the Organization the Administrative Secretary-General shall consult the different Organs of the Organization of African Unity.

The proposed Programme and Budget shall include:

- (i) a list of contributions made by Member States in accordance with the scale established by the Council of Ministers and by reference to the provisions of Article XXIII of the Charter;
- (ii) an estimate of various incomes;
- (iii) a description of the situation of the Working Fund.

FINANCIAL RESOURCES

Rule 19

Once the budget is approved by the Council of Ministers, the Administrative Secretary-General shall communicate it to the Member States, with all pertinent documents, at least three months before the first day of the Fiscal Year. The budget shall be accompanied by a list indicating the annual contributions assigned by the Council to each Member State. The annual contribution of each Member State becomes due on the first day of the Fiscal Year.

Rule 20

The Administrative Secretary-General is the Accounting Officer of the Organization and shall be responsible for the proper administration of the Budget.

Rule 21

The Administrative Secretary-General shall submit to Member States a quarterly statement on payments of contributions and outstanding contributions:

Rule 22

There shall be a General Fund, in which the following amounts will be entered:

- (i) annual contribution of Member States;

- (ii) miscellaneous income, unless the Council of Ministers determine otherwise;
- (iii) advance from the Working Fund

From such General Fund all expenditures established in the budget shall be set.

Rule 23

The Administrative Secretary-General may establish fiduciary funds, reserve funds and special funds with approval of the Council of Ministers. The objectives and limitations of these funds shall be defined by the Council of Ministers. These funds shall be administered in separate accounts, as provided in special regulations approved by the Council of Ministers.

Rule 24

The Administrative Secretary-General, may accept, on behalf of the Organization, gifts, bequests and other donations made to the Organization, provided that such donations are consistent with the objectives and purposes of the Organization, and are approved by the Council of Ministers.

Rule 25

In the case of monetary donations for specific purposes, these funds shall be treated as fiduciary or special funds, as provided in Rule 22. Monetary donations for no specific purposes shall be considered as miscellaneous income.

Rule 26

The Administrative Secretary-General shall designate the African Banks or Banking Institutions in which the funds of the Organization shall be deposited. The interests accrued by such funds, including the Working Fund, shall be entered as miscellaneous income.

ACCOUNTING

Rule 27

The accounts of the Organization shall be carried in the currency determined by the Council of Ministers.

FINANCIAL SUPERVISION

Rule 28

The Council of Ministers shall be responsible for the supervision of the finances of the Organization.

Rule 29

The Administrative Secretary-General shall submit to the Council of Ministers any matter relating to the financial situation of the Organization.

PART V
MISCELLANEOUS

Rule 30

The Administrative Secretary-General shall submit to the Council of Ministers for its approval, at the earliest possible moment, the complete Regulations governing the Accounting Method of the Organization, in accordance with established international accounting practices.

AMENDMENTS

Rule 31

These Regulations may be amended by the Council of Ministers by a simple majority subject to the approval of the Assembly.

**PRINTED BY COMMERCIAL PRINTING PRESS
ADDIS ABABA — ETHIOPIA**

1965

Charter of the Organization of African Unity ,Protocol of the Commission of Mediation, Conciliation & Arbitration ,Functions and Regulations of the General Secretariat

General Secretariat of the Organization of African Unity

<http://archives.au.int/handle/123456789/2616>

Downloaded from African Union Common Repository