

AFRICAN UNION

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ASSEMBLY OF THE AFRICAN UNION

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**REPORT OF THE 1ST MEETING OF THE COMMITTEE OF
TWELVE HEADS OF STATE AND GOVERNMENT ON
THE UNION GOVERNMENT**

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**FIRST MEETING OF THE COMMITTEE
OF THE TWELVE HEADS OF STATE AND
GOVERNMENT ON THE UNION GOVERNMENT
22 – 23 MAY 2008
ARUSHA, TANZANIA**

Rev. 5

SUMMARY OF THE DISCUSSIONS

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The Committee of Twelve Heads of State and Government met in Arusha, Tanzania, on 22 and 23 May 2008.

The Committee of Twelve based its discussions on the Accra Declaration and took account of the Report of the Ministerial Committee of Ten on the Union Government as well as the report of the 12th Ordinary Session of the Executive Council which met in Addis Ababa, Ethiopia, from 27 to 29 January 2008.

The Committee of Twelve was mandated to consider the Report of the Executive Council on the Union Government as well as the background reports and submit appropriate recommendations to the next Ordinary Session of the Assembly in July 2008. The Committee of Twelve was similarly requested to consider the Report of the 11th Extraordinary Session of the Executive Council which was held on 6 and 7 May 2008 in Arusha, Tanzania, before it is submitted to the Assembly in July 2008.

The Committee of Twelve recalled its Terms of Reference as follows:

- i. identification of the contents of the Union Government concept and its relations with national governments;
 - ii. identification of domains of competence and the impact of the establishment of the Union Government on the sovereignty of Member States;
 - iii. definition of the relationship between the Union Government and the Regional Economic Communities (RECs),
 - iv. elaboration of the roadmap together with timeframes for establishing the Union Government; and
 - v. identification of additional sources of financing the activities of the Union.
- 1) The Committee recalled that, in the Accra Declaration, the Assembly agreed to *“accelerate the economic and political integration of the African continent, including the formation of a Union Government for Africa with the ultimate objective of creating the United States of Africa”*.
 - 2) It also recalled that, for attaining the Union Government, the Accra Declaration identified the following three steps:
 - a) Rationalize and strengthen the RECs and harmonize their activities, in conformity with the earlier decision of the Assembly, so as to

lead to the creation of an African Common Market, through the stages set in the Treaty Establishing the African Economic Community (Abuja Treaty), with a reviewed and shorter timeframe to be agreed upon in order to accelerate the economic and, where possible, political integration.

- b) Undertake an Audit of the AU and its Organs.
- c) Establish a Ministerial Committee of Ten on the Union Government.

Steps b) and c) have already been undertaken and the reports were subject to consideration by the Executive Council and the Committee of Twelve Heads of State and Government.

- 3) From the discussions of the Committee of Twelve, and in conformity with the Accra Declaration, it is quite clear that the issue is not whether to put in place a Union Government but how and when and to clarify the concept and content of such a Government.
- 4) In addressing the issues of how and when, the Committee of Twelve reached the following conclusions:
 - (i) The form of the Union Government shall be a Union of independent and sovereign States through a gradual process;
 - (ii) The accelerators and benchmarks contained in the Report of the High Level Panel on the Audit of the Union are generally acceptable and should be implemented.

These accelerators are:

- Free movement of persons across borders as contained in both the Abuja Treaty and the Constitutive Act;
- Development of transcontinental and inter-regional infrastructure;
- Multinational African firms as accelerators of Africa's integration; and
- Early establishment of the continental financial institutions identified in Article 19 of the Constitutive Act (i.e. the African Central Bank, the African Monetary Fund, and the African Investment Bank).

The benchmarks include:

- Coherence, effectiveness and efficiency of institutional frameworks;
- Popularisation and internalisation of the core values underpinning the Act;

- Engagement and mobilization of the peoples of Africa for the unity and integration project;
 - Rationalisation of the RECs;
 - Fast tracking of the move towards an African Common Market and the African Economic Community;
 - Acceleration of steps towards the establishment of continental financial and monetary institutions.
- (iii) Member States should honour their commitment to integration by faithfully implementing decisions at national, regional and continental levels;
- (iv) Member States should incorporate at national levels the decisions taken at the RECs levels and those of the AU Assembly into their national legal systems, policy frameworks, and development plans;
- (v) The Assembly should annually review the progress of harmonisation in line with agreed plans, and the Chairperson of the Assembly should submit the report of the Assembly to each of the Assemblies of the RECs; the RECs should submit their reports to the Chairperson of the AUC who should take them into account in his report to the Assembly. The decisions taken by the Assembly regarding the RECs should be transmitted to the latter by the Chairperson of the Commission;
- (vi) It should be made mandatory for the Coordinating Committee to present annual reports to the Assembly of the AU on the activities of the RECs in relation to the economic integration of the continent;
- (vii) There is a need to encourage RECs, which are the building blocks of the Union, to achieve regional integration on the basis of variable geometry. For example, RECs could be required to achieve Customs' Unions within specified and agreed timeframes;
- (viii) There is a need for the RECs to be rationalized and given a timetable for harmonizing their activities. In this regard, the Protocol on Relations between the AU and RECs should be implemented;
- (ix) While embarking on the processes indicated above, there are issues of common strategic importance which could be handled at the continental level, on the basis of the principle of subsidiarity, such as the areas of competence identified in Paragraph 14 of the Report of the Ministerial Committee of Ten on the Union Government, namely:
- continent-wide poverty reduction strategies;

- free movement of persons, goods and services;
 - inter-regional and continental infrastructure (road networks, bridges, railways, ports, energy, communication, etc.);
 - environmental issues (global warming, desertification and coastal erosion);
 - epidemics and pandemics such as HIV/AIDS;
 - research/university centres of excellence;
 - international trade negotiations;
 - peace and security; and
 - transnational crime (terrorism, drug and arms trafficking).
- (x) The Committee agreed that, as the need arises, other domains of competence could be considered in the future. On foreign affairs and defense, the Committee agreed that there should be some level of harmonization and coordination in these sectors, in accordance with mechanisms and instruments already in existence in the Union;
- (xi) There is a need to strengthen the AU organs, particularly the AU Commission in order to enable them fulfill their mandates;
- (xii) There is a general agreement on the recommendations made by the 11th Extraordinary Session of the Executive Council, Arusha (6-7 May 2008) on the Audit of the Union. In this regard, the concerned Organs and in particular, the AU Commission, are called upon to take necessary action and report thereon to the Executive Council;
- (xiii) On the financing of the Union, the Committee endorsed the recommendation of the 11th Extraordinary Session of the Executive Council (Arusha, Tanzania, 6-7 May 2008), to request the AU Commission to finalize the study on alternative sources of financing the Union and submit a report thereon to the Executive Council in January 2009;
- (xiv) On the timetable for the establishment of the Union Government and the United States of Africa, the Committee agreed to move forward on the basis of the agreed accelerators and benchmarks as spelt out in the Report of the High Level Panel on the Audit of the Union. In this regard, it requested the AU Commission to work out appropriate modalities for monitoring progress made on the above-mentioned accelerators and benchmarks and conduct annual reviews for submission to the Assembly through the Executive Council.

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