

**DECISIONS OF THE ASSEMBLY OF HEADS OF
STATE AND GOVERNMENT**

AHG/Dec.132 (XXXV)

**Decision on the Report of the Secretary-General
on the Ministerial Conference on the OAU
Convention on the Prevention and Combating of
Terrorism**

The Assembly:

1. **TAKES NOTE** of the Decision of Council on the Draft OAU Convention on the Prevention and Combating of Terrorism;
2. **ADOPTS** the OAU Convention on the Prevention and Combating of Terrorism;
3. **URGES** Member States to sign, and subsequently ratify, the Convention in order to ensure its speedy implementation;
4. **ENDORSES** the convening of an International Conference at Summit level under the auspices of the United Nations to elaborate on the international strategy needed to combat terrorism and identify the necessary international instruments required by the international community to eliminate the phenomenon of terrorism;
5. **EXPRESSES SATISFACTION** at the considerable progress so quickly made by the Government and People of Algeria in the restoration of peace and stability and **HAILS** the courageous initiative of H.E. President Abdelaziz BOUTEFLIKA to give concrete expression to these objectives and usher in permanent civil peace and harmony in Algeria.

AHG/Dec.133 (XXXV)Decision on the African Commission on Human and Peoples' Rights: Twelfth Annual Activity Report

The Assembly,

1. **TAKES NOTE** of the 12th Annual Activity Report of the African Commission on Human and Peoples' Rights and commends the latter for the work accomplished during the past financial year;
2. **REQUESTS** the competent organs to continue to reflect over the possible ways and means of strengthening the operational capacity of the African Commission in order to enable it to effectively carry out its mandate;
3. **URGES** the States Parties to the African Charter on Human and Peoples' Rights to fulfil their obligations under this important instrument and to lend all the necessary assistance to the African Commission for the effective accomplishment of its mission;
4. **AUTHORISES** the publication of the 12th Annual Activity Report in accordance with Article 59 of the African Charter on Human and Peoples' Rights.

AHG/Dec. 134 (XXXV)Decision on the Crisis between the Libyan Arab Jamahiriya and the United States and the United Kingdom

The Assembly,

1. **TAKES NOTE** of the Report of the Secretary-General;
2. **EXPRESSES ITS SATISFACTION** over the courageous decision of the authorities of the Libyan Arab Jamahiriya to encourage the two Libyan suspects to stand trial before the Scottish Court sitting in the Netherlands and over its positive response, and **SUPPORTS** the Jamahiriya's demand for adequate guarantees and conditions to ensure a just and fair trial for the two suspects;

3. **PAYS SPECIAL TRIBUTE** to former President of South Africa, Nelson Mandela, the custodian of the two holy Mosques, King Fahad IBN Abdelaziz, President Blaise Compaore, Out-going Chairman of the OAU and all the African leaders who have worked towards the implementation of the letter and spirit of the decision of the OAU Ouagadougou summit on the crisis;
4. **FURTHER EXPRESSES ITS SATISFACTION** at the efforts of the OAU Committee of Five and the Committee of Seven of the League of Arab States for their contributions in the search for a just solution to the crisis;
5. **COMMENDS** the African Group in New York for its role in resolving the crisis, and particularly for drawing the attention of the UN Secretary-General to the fact that the Libyan Arab Jamahiriya had co-operated and fulfilled the requirements of UN Security Council Resolutions 731 (1992) 748 (1992), 883 (1993), 1192 (1998);
6. **CALLS UPON** the United Nations Security Council to immediately and permanently lift the sanctions against the Libyan Arab Jamahiriya;
7. **REQUESTS** the OAU Current Chairman to address letters to the UN Secretary-General and the Chairman of the UN Security Council to take appropriate measures to ensure the speedy and permanent lifting of sanctions;
8. **REQUESTS** the Committee of Five on the Dispute between the Libyan Arab Jamahiriya, the United States of America and the United Kingdom to continue its work until the definitive resolution of the dispute;
9. **DECIDES** to remain seized of this matter and to act as appropriate.
10. **REQUESTS** the Secretary-General to follow-up the implementation of this decision.

AHG/Dec.135 (LXX)Decision on the “First Meeting of States Parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of their Anti-Personnel Mines and on the Destruction”**The Assembly:**

1. **TAKES NOTE** of the relevant information contained in the Report of the Secretary-General on the “First Meeting of States Parties of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on their destruction”, held in Maputo, Mozambique, from 3 – 7 May, 1999;
2. **RECOGNIZES** that the issue of anti-personnel mines constitutes a major public health threat and a source of concern in the international political agenda, requiring a global approach in order to address the negative effects of these deadly devices;
3. **COMMENDS** the rapid entry-into-force of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on their Destruction;
4. **FURTHER RECOGNIZES** that the proliferation of anti-personnel mines constitutes an issue of insecurity which affects free circulation of people and goods in affected countries;
5. **EXPRESSES ITS DEEP CONCERN** for the devastating effects of anti-personnel mines on human lives and their negative impact on the country’s economic development;
6. **COMMENDS** all States Parties to the Convention;
7. **CALLS UPON** all countries which have not done so to sign and ratify the Convention;
8. **EXPRESSES ITS APPRECIATION** for the outcome of the Maputo meeting;

9. **SUPPORTS FIRMLY** the objectives and purposes enshrined in the “Maputo Declaration”;
10. **REQUESTS** the Secretary-General to continue to sensitize Member States to contribute to the effective implementation of the Convention.

AHG/Dec.136 (XXXV)

Decision on the Report of the Secretary-General on the Conference of African Ministers of Education (COMEDAF I) and the Implementation of the Programme of Action of the Decade of Education in Africa

The Assembly:

1. **TAKES NOTE** of the report;
2. **ENDORSES** the recommendations of the Conference of African Ministers of Education (COMEDAF I) meeting in Harare, Zimbabwe, from 15 to 19 March, 1999;
3. **TAKES NOTE** of the Programme of Action of the Decade of Education in Africa and of the Mechanism for its implementation, as well as the components thereof, as approved by the Conference of Ministers of Education;
4. **TAKES NOTE** of the Kampala Declaration and Framework of Action on the Empowerment of Women through Functional Literacy and the Education of the Girl Child;
5. **URGES** Member States to put in place all the necessary national structures as recommended in the report for the effective implementation of the Decade and the Harare Programme of Action;
6. **ALSO URGES** Member States to continue to give priority to education, more particularly basic education, as pillar of development and generator of human resources, in all their National Development Plans;
7. **INVITES** Member States as well as technical and financial partners to leave no stone unturned in monitoring, particularly at the national

level, the synergy of all the on-going initiatives on the continent, with a view to coordinating and harmonizing the various programmes;

8. **FURTHER URGES** the Regional Economic Communities to take the necessary steps to implement the relevant provisions of the Programme of Action in consultation with the OAU General Secretariat, the countries and the competent regional organizations;
9. **CALLS ON** the OAU Secretary-General to:
 - a) put in place the Decade Secretariat;
 - b) set up the Decade Steering Committee;
 - c) release as early as possible the necessary resources for the launching of the Decade coordination activities;
 - d) convene every two years the Conference of African Ministers of Education;
 - e) convene in 2002, on the occasion of the mid-term review of the Decade, a Summit on Education.
10. **APPEALS** to African and International Agencies and Institutions, as well as NGOs and donor countries, to lend their technical and financial support to the implementation of the Decade Programme of Action both at national and continental levels.

AHG/Dec.137 (LXX)

Decison on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons

The Assembly:

1. **TAKES NOTE** of the Report;
2. **ADOPTS** the proposals contained therein;

3. **HAILS** the Declaration on the moratorium on the import, export and manufacture of light weapons adopted in Abuja on 31 October, 1998 by the Heads of State and Government of the Economic Community of West African States (ECOWAS);
4. **WELCOMES** the appeal contained in the said Declaration calling on the OAU to support implementation of the moratorium and to encourage similar initiatives in other regions of the continent
5. **WELCOMES ALSO** the initiatives being undertaken by Member States and regional organisations concerning the question of small arms, in particular, the ECOWAS moratorium on small arms, the destruction of surplus and obsolete small arms in South Africa and the destruction of illicit weapons in Mozambique;
6. **FURTHER WELCOMES** the work of the United Nations, through its Group of Experts on Small Arms and the draft Protocol on the Illicit Manufacturing, circulation and proliferation of as well as illicit trafficking in Firearms, Ammunitions and other related materials, supplementary to the Convention against Transnational Organised Crime; the European Union, through its Joint Action on Small Arms; and the Organisation of American States, through its Convention against the illicit manufacturing, trafficking, circulation and proliferation of firearms, ammunitions, explosives and other related Materials;
7. **APPEALS** to the International Community to render to the affected African countries all necessary assistance to enable them implement programmes to effectively deal with the problems associated with the proliferation of small arms and light weapons;
8. **REITERATES** the urgency and the need for inter-African co-operation in addressing the problems associated with the illicit use, transfer and manufacture of small arms and light weapons, and **EMPASISES** the primary role the OAU can play in co-ordinating actions in those affected areas;
9. **URGES** the Secretary-General to further seek the views of Member States on the illicit trafficking, circulation and proliferation of small

arms and light weapons, in particular, to seek their views on actions to be undertaken;

10. **CALLS** for a coordinated African approach to the problems posed by the illicit trafficking, circulation and proliferation of small arms, under the OAU, taking into account the regional experiences and activities in this matter;
11. **STRESSES** the impact of the illicit proliferation, circulation and trafficking of light weapons on the increased involvement of children as soldiers and the psycho-social trauma thereof and the need to comply with the African Charter for the Rights and Welfare of Children and the Convention on the Rights of the Child;
12. **FURTHER APPEALS** to all Member States and to the International Community to assist in the psycho-social rehabilitation of children who have been affected by the trafficking, circulation and the proliferation of light weapons;
13. **REQUESTS** the OAU Secretariat to organize, to that effect, a ministerial preparatory conference on this matter, prior to the International Conference scheduled for the year 2001 and to seek the support of the relevant UN agencies and other actors concerned, so as to evolve an African common approach;
14. **FURTHER REQUESTS** the Secretary-General to report on this issue to the next Session of the Council of Ministers.

AHG/Dec.138 (XXXV)

Decision on the United Nations Regional Centre for Peace and Disarmament in Africa

The Assembly:

1. **TAKES NOTE** of the progress made since its Thirty-fourth Ordinary Session in efforts to consolidate the activities of the United Nations Regional Centre for Peace and Disarmament in Africa;
2. **EXPRESSES SATISFACTION** at the appointment by the UN Secretary-General of a Director for the Centre;

3. **REAFFIRMS ITS UNWAVERING SUPPORT** for the revitalization of the Centre and underscores the need to provide it with the necessary resources to enable it to consolidate its activities and implement its programmes;
4. **FURTHER REAFFIRMS** the need to establish close collaboration between the Centre and the OAU Mechanism for Conflict Prevention, Management and Resolution on the one hand, and, on the other, between the Centre and the sub-regional organizations working for peace, security and development;
5. **ONCE AGAIN INVITES** the General Secretariat to establish close cooperation with the Centre;
6. **URGES** Member States and the International Community to support the Centre by making financial contributions to it and assisting it in any other way likely to help in the promotion of its activities and effectiveness;
7. **REQUESTS** the Secretary-General to report to its 36th Ordinary Session.

AHG/Dec. 139 (XXXV)

Decision on the ILO Convention on the Banning of the Worst Forms of Child Labour and Immediate Action for their Elimination

The Assembly:

1. **RECALLS** the African Charter on the Rights and Welfare of the Child adopted in Addis Ababa, Ethiopia in 1990, by the Twenty-sixth Ordinary Session of the Assembly of Heads of State and Government;
2. **FURTHER RECALLS** the unanimous adoption in Geneva, Switzerland on 17 June, 1999 of the ILO Convention on the Prohibition of the Worst Forms of Child Labour and Immediate Action for their Elimination, by the Eighty-seventh Ordinary Session of the International Labour Conference;
3. **APPROVES** the recommendations contained in the report of the Secretary-General to the Twenty-second Ordinary Session of the

Labour and Social Affairs Commission (Windhoek, Namibia: 22 – 23 April, 1999) pertaining to the proposed ILO Convention (Doc.LSC/9 (XXII));

4. **REQUESTS** all Member States to ratify the Convention as a matter of urgency preferably before the Thirty-sixth Session of the Assembly of Heads of State and Government scheduled to take place in the year 2000;
5. **FURTHER REQUESTS** the International Labour Office (ILO) to provide Member States with necessary technical assistance to back their efforts towards ratification and implementation of this Convention.

AHG/Dec.140 (XXXV)

Decision on the Convening of an Extraordinary Session of the OAU Assembly of Heads of State and Government in accordance with Article 33 (5) of its Rules of Procedure

The Assembly:

Having heard the intervention of H.E. Col. Muamar Gaddafi, Leader of the Great First of September Revolution of the Great Socialist People's Libyan Arab Jamahiriya during the discussion of the item on collective security and conflicts on the continent,

Having also heard his intervention on the convening of an Extraordinary Session of the OAU Assembly of Heads of State and Government in the Jamahiriya, from 6 – 9 September, 1999 to discuss ways and means of making the OAU effective so as to keep pace with political and economic developments taking place in the world and the preparation required of Africa within the context of globalization so as to preserve its social, economic and political potentials:

DECIDES to accept the offer of H.E. Col. Muamar Gaddafi to host an Extraordinary Session of the Assembly in the Great Socialist People's Libyan Arab Jamahiriya at the afore-mentioned proposed date.

AHG/Dec.141 (XXXV)**Decision****The Assembly :**

1. **REAFFIRMS** the provisions of the OAU Charter;
2. **REAFFIRMS FURTHER** the African Charter on Human and Peoples' Rights and in particular Article 13;
3. **RECALLS** the Universal Declaration on Democracy, adopted by the Inter-Parliamentary Council at its 161st Session in Cairo, on 16 September 1997;
4. **RECALLS FURTHER** the spirit of the Harare Decision on unconstitutional remover of Governments;
5. **RECOGNISES** that the principles of good governance, transparency and human rights are essential elements for building representative and stable government and contribute to conflict prevention.

AHG/Dec.142 (XXXV)**Decision****The Assembly:**

Determined to promote strong and democratic institutions that will safeguard the principles mentioned in the decision above,

1. **DECIDES** that Member States whose Governments came to power through unconstitutional means after the Harare Summit, should restore constitutional legality before the next Summit;
2. **REQUESTS** the OAU Secretary-General to be actively seized of developments in those countries and to assist in programmes intended to return such countries to constitutional and democratic governments;
3. **CALLS UPON** the OAU Secretary-General to report to the Ordinary Sessions of the Council of Ministers and the Thirty-sixth Assembly of Heads of State and Government on the progress made in this regard.

**ASSEMBLY OF HEADS OF STATE
AND GOVERNMENT
Thirty-fifth Ordinary Session of OAU/
Third Ordinary Session of AEC
12 – 14 July, 1999
Algiers, Algeria**

AHG/Decl. 1 - 2 (XXXV)
AHG/Dec.132-142 (XXXV)
AHG/OAU/AEC/Dec.1 (III)

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OF STATE AND GOVERNMENT**

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