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UNION AFRICAINE
UNIÃO AFRICANA

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ASSEMBLY OF THE AFRICAN UNION
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EXPLANATORY NOTE ON THE TRANSFER OF THE COMMISSION OF THE AFRICAN UNION

(Item proposed by the Great People's Arab Jamahiriya)

AFRICAN UNION ARCHIVES

EXPLANATORY NOTE ON THE TRANSFER OF THE COMMISSION OF THE AFRICAN UNION

Under Rule 8, Sub-paragraph 2(d) of the Rules of Procedure of the Assembly of the African Union, the Great Jamahiriya had requested the inclusion of an item "Transfer of the Commission of the African Union" in the agenda of the Third Ordinary Session of the Assembly of the Union. This explanatory Note gives the reasons for this request.

The consideration of the issue began at the Extraordinary Session of the Assembly held in Sirte on 28 February 2004 during which the Heads of State agreed to continue the discussions on this issue at the Fourth Ordinary Session of the Assembly scheduled in Addis Ababa in July 2004.

In its Article 24, the Constitutive Act of the African Union stipulates that "the Headquarters of the African Union shall be in Addis Ababa, in the Federal Democratic Republic of Ethiopia". This statement concerns the official headquarters of the African Union and involves the continuation of the convening of the meetings of the Organs of the Union, including the Assembly of the main headquarters of the Union.

The presence of the Commission in Addis Ababa makes it isolated and exposed to passiveness and inertia as the Current Chairman of the Union and his Minister for Foreign Affairs are first the President and Minister of their country respectively. There is an organic separation between the Chairman of the Union which can be in Sao Tome and Principe or in Mozambique for example and the headquarters of the Commission is in Addis Ababa.

The city of Sirte, proposed to host the Commission of the African Union, is situated midway between the different countries in the North, South, East and West of the Continent. It has the infrastructures which the brotherly Member countries of the Union have noted on several occasions in addition to the modern technical and administrative potentialities necessary for the transfer of the Commission.

The headquarters of the Commission must not be necessarily linked to the headquarters of the Union. The political will which established the African Union must imperatively lead to the attainment of the objectives more ambitious than the OAU and give a new dynamism to the present enterprise of the African Union. On this basis, the Great Jamahiriya

requests the transfer of the Commission of the African Union to Sirte and, to this end, proposes the following:

1. Pledges to place the Sirte "Ouagadougou" Conference complex and all its annexes at the disposal of the Commission and to provide it with all the necessary equipment and supplies for the accomplishment of its duties and smooth functioning;

2. Pledges to give the facilities to the staff of the representatives of the Member States and the Commission, particularly the privileges and immunities provided for in the relevant Regional and International Conventions or to be provided for in the Headquarters Agreement to be concluded and signed with the Commission. It commits itself also to allow all the Member States, whatever be the nature of the bilateral relations, to participate and make their contribution to the African Union.

By making this offer, the Great Jamahiriya intends to reaffirm its constant concern about energizing the role of the Organs of the African Union, particularly the Commission and ensures a greater effectiveness for them. It reaffirms its will to place its means in the service of the African Union for the attainment of the objectives laid down in the Constitutive Act of the Union.

Tripoli, 27 May 2004.

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