

**AFRICAN UNION**

**الاتحاد الأفريقي**



**UNION AFRICAINE**

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**ASSEMBLY OF THE UNION**  
**Twenty-Seventh Ordinary Session**  
**17 – 18 July 2016**  
**Kigali, RWANDA**

**Assembly/AU/Draft/Dec.1-15(XXVII)**  
**Assembly/AU/Draft/Decl.1- 3 & 5(XXVII)**  
**Assembly/AU/Draft/Res.1(XXVII)**

**DRAFT DECISIONS, DECLARATIONS AND RESOLUTION**

**DRAFT**  
**ASSEMBLY DECISION ON THE REPORT OF THE CHAIRPERSON OF THE**  
**COMMISSION ON THE STATE OF PEACE AND SECURITY IN AFRICA**  
**Doc. Assembly/AU/5(XXVII)**

**The Assembly,**

- 1. EXPRESSES DEEP CONCERN** over the continued targeted killings and other acts of violence in Burundi and **DEPLORES** the recent assassinations. The Assembly **REAFFIRMS** the determination of the AU to spare no effort to help Burundi restore and rebuild peace, security and stability. In this regard, the Assembly **REITERATES** the imperative need for a truly inclusive dialogue, involving all the Burundian stakeholders, led by the East African Community (EAC) Mediator, with the support of the Facilitator, former President Benjamin Mkapa. The Assembly **CALLS ON** all Burundian stakeholders to remain engaged in the inclusive Inter-Burundian Dialogue and to extend the necessary cooperation to the Mediator and Facilitator. The Assembly **URGES** the Burundian Government to fully honour the commitment that it made to the AU High Level Delegation and accordingly facilitate the speedy deployment, including issuance of visa and other requirements, of the AU 200 human right observers and military experts. The Assembly **CONGRATULATES** the members of the AU High Level Delegation on their invaluable efforts to find an African solution to the crisis obtaining in Burundi. The Assembly **EXPRESSES** its appreciation to the AU partners for their support to the efforts of the region and the continent and **REQUESTS** them to continue to support the initiatives of Africa in Burundi;
- 2. REITERATES** the commitment of the AU to assist the Libyan parties in finding a lasting solution to the crisis facing Libya. The Assembly **COMMENDS** the Chairperson of the AU, President Deby Itno, for his initiatives and support provided towards reconciliation in Libya. The Assembly **REITERATES** its support to the Libyan stakeholders and **ENCOURAGES** the efforts of the AU High Representative for Libya, former President Jakaya Kikwete of Tanzania. The Assembly **REAFFIRMS** that only political dialogue can bring a durable solution to the crisis facing Libya and that any military intervention can further escalate and complicate the situation. The Assembly **CALLS ON** AU Member States to provide the necessary political and moral support to the Government of National Accord;
- 3. REITERATES ITS DEEP CONCERN** over the spread of the plight of terrorism in Africa **EXPRESSES ITS HEARTFELT CONDOLENCES** for all the victims of terrorist attacks. The Assembly **COMMENDS** the efforts made by the Countries of the Commission of the Lake Chad Basin (LCBC) and Benin for vigorous action taken, through the Multinational Joint Task Force (MNJTF) against the Boko Haram terrorist group and **CALLS FOR** sustained efforts towards eliminating that terrorist group. The Assembly **ALSO CALLS** the international community for additional financial and logistic support to the LCBC to ensure sustainability of the efforts against Boko Haram. The Assembly **UNDERLINES** the need to help train, equip and deploy a robust unit of the CAR Army (FACA) into the Regional Task Force against the Lord's Resistance Army, in order to avoid a security vacuum that would otherwise be created in eastern CAR, if the Ugandan troops are to withdraw in 2016 from the Regional Task Force (RTF), as already announced by the Government of Uganda. The Assembly **URGES** Member States and partners to provide the necessary support to the African Centre for Study and Research on terrorism (ACSRT) in order to enable it to effectively discharge its mandate.

**DRAFT**  
**DECISION ON FREE MOVEMENT OF PERSONS**  
**AND THE AFRICAN PASSPORT**

**The Assembly,**

1. **TAKES NOTE** of the progress made towards ensuring free movement of persons in Africa, goods and services as a crucial element of deepening continental integration and unity in the spirit of Pan-Africanism, African Renaissance Agenda 2063;
2. **RECALLS** Decision EX.CL/Dec.908(XXVIII) which mandated the Commission to develop the Protocol on Free Movement of Persons in Africa, as envisioned in the 1981 African Charter on Human and Peoples' Rights and the 1991 Abuja Treaty, and to move ahead with the launching of the African Passport
3. **WELCOMES** the launch of the African Passport during this current Session in Kigali, Rwanda
4. **NOTES WITH THANKS** the efforts of the Commission to carry out this important initiative and **REITERATES** its support to the efforts of the Commission to issue the African Passport;
5. **CALLS ON** other countries and regions of the world to recognize the African Passport issued by the Commission and the AU Member States
6. **DECIDES:**
  - i) To encourage all Member States to adopt the African Passport and to work closely with the AU Commission to facilitate the processes towards its issuance at the national level based on international, continental and national policy provisions, and continental design and specifications as at when ready;
  - ii) To request the Commission to:
    - a) Provide technical support to Member States to enable them to produce and issue the African Passport to their citizens;
    - b) Put in place an implementation roadmap for the development of a PROTOCOL on Free Movement of persons in Africa by January 2018, which should come to an immediate effect in Member States.

**DRAFT**  
**DECISION ON THE APPOINTMENT OF FOUR (4) JUDGES OF THE**  
**AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS**  
**Doc. EX.CL/990(XXIX)**

The Assembly,

1. **TAKES NOTE** of the election of four (4) Judges of the African Court on Human and Peoples' Rights (AfCHPR) by the Executive Council;
2. **APPOINTS** the following persons as Judges of AfCHPR for a six(6)-year term:

No.	Name	Gender	Country
1.	Marie-Theresa MUKAMULISA	Female	Rwanda
2.	Ntyam ONDO MENGUE	Female	Cameroon

3. **DECIDES** that the elections for the remaining two (2) Judges shall be elected in January 2017 only from among the Female Candidates from the Northern and Southern Regions respectively in accordance with the Modalities on Implementation of Criteria for Equitable Geographical and Gender Representation in the African Union organs adopted by the Executive Council in January 2016 under decision EX.CL/907 (XXVIII).

**DRAFT**  
**DECISION ON THE DATES AND VENUE OF THE 28<sup>TH</sup> ORDINARY**  
**SESSION OF THE ASSEMBLY OF THE AFRICAN UNION**  
**IN JANUARY 2017**

**The Assembly,**

1. **DECIDES** that the dates of the Twenty-Eighth Ordinary Session of the Assembly which will be held in Addis Ababa, Ethiopia, under the theme “**Harnessing Demographic Dividend through investments in the Youth**” shall be the following.
  - i) Thirty-third (33<sup>rd</sup>) Ordinary Session of the Permanent Representatives’ Committee (PRC):24 and 25 January 2017;
  - ii) Thirtieth (30<sup>th</sup>) Ordinary Session of the Executive Council: 27 and 28 January 2017;
  - iii) Twenty-Eighth (28<sup>th</sup>) Ordinary Session of the Assembly: 30 -31 January 2017.

**DRAFT**  
**DECISION ON THE EIGHTEENTH REPORT OF THE C-10 COORDINATOR ON**  
**THE REFORM OF THE UNITED NATIONS SECURITY COUNCIL**  
**Doc. Assembly/AU/4(XXVII)**

**The Assembly,**

1. **TAKES NOTE** of the Report of the Committee of Ten Heads of State and Government on the Reform of the United Nations Security Council;
2. **RECALLS** its previous Decisions Assembly/AU/Dec.599(XXVI), Assembly/AU/Dec.564(XXIV), Assembly/AU/Dec.573(XXIII), Ext/Assembly/AU/Dec.1 (IV), Assembly/AU/Dec.430(XIX), Assembly/AU/Dec.485(XXI) and Assembly/AU/Dec.574(XXV) on the reform of the United Nations Security Council;
3. **ACKNOWLEDGES WITH APPRECIATION** the progress made by the Committee of Ten Heads of States and Government in advocating and canvassing support for the Common African Position outlined in the Ezulwini Consensus and Sirte Declaration on United Nations Security Council Reform;
4. **WELCOMES** in that regard, the support that the Common African Position continues to garner within and outside the intergovernmental negotiations on United Nations Security Council reform;
5. **REAFFIRMS** strong commitment to the Ezulwini Consensus and Sirte Declaration;
  - **Convinced** of the need for a comprehensive reform of the United Nations System which takes into account the principles, objectives and ideals of the United Nations Charter for a fairer world based on universalism, equity, and regional balance;
  - **Conscious** of the need, within this process of reform to ensure Africa's legitimate right to a fair and equitable geographical representation;
  - **Recognizing** that all the regions of the world must in this era of globalization, endeavour in a spirit of solidarity to build a world of peace, security, justice, good governance, and sustainable development;
  - **Persuaded** that the reform of the United Nations must be all-inclusive and encompass all components of the United Nations system, including the General Assembly and the Security Council;
  - **Determined** to achieve Africa's goal to be fully represented in all the decision-making organs of the UN, particularly in the Security Council, which is the principal decision-making organ of the UN in matters relating to international peace and security.

6. **REITERATES** that full representation of Africa in the Security Council means:
  - i) Not less than two permanent seats with all the prerogatives and privileges of permanent membership including the right of veto;
  - ii) Five non-permanent seats.
7. **FURTHER REITERATES** that even though Africa is opposed in principle to the veto, it is of the view that so long as it exists, and as a matter of common justice, it should be made available to all permanent members of the Security Council;
8. **ALSO REITERATES** firm commitment to preserve Africa's unity and solidarity on all aspects of the reform process of the United Nations Security Council, including participation within and outside the intergovernmental negotiations, and the selection by the African Union of its representatives in the Security Council to act in its name and on its behalf;
9. **REQUESTS** African Union Member States to include the issue of the UNSC reform among their foreign policy priorities in their engagements with non-African partners, in particular, the need to correct without further delay, the historical injustice that the African continent continues to endure;
10. **DECIDES** that the African Union Commission should allocate a budget for C-10 activities for the year 2017;
11. **ALSO DECIDES** that the Committee of Ten remains seized of its mandate until Africa achieves its objectives on the reform of UNSC.

**DRAFT**  
**DECISION ON THE CONTINENTAL FREE TRADE AREA (CFTA)**

**The Assembly,**

1. **TAKES NOTE** with appreciation of the presentation made on the progress achieved on the establishment of the Continental Free Trade Area (CFTA) in Africa;
2. **REAFFIRMS** its decision of fast tracking the establishment of the CFTA for Africa's economic freedom and meaningful participation in the global trading system;
3. **DECIDES** to establish a High Level Panel of five eminent persons (one from each region) to champion the fast tracking of the CFTA;
4. **REQUESTS** the Commission:
  - i) In collaboration with the Regional Economic Communities (RECs) to formulate and submit recommendations thereon to the next Summit;
  - ii) To prepare and circulate to Member States draft negotiating texts on trade in goods and trade in services to be used for national consultations , to solicit inputs from capitals and to guide the work of the CFTA Negotiating Forum in order to fast track the negotiations of the CFTA;
  - iii) To present feasible options on how to eliminate non-trade barriers among African countries in order to foster intra-African trade.
5. **CALLS ON** Member States to speak with one voice on all issues related to trade negotiations with third parties.



**DRAFT**  
**DECISION ON THE OUTCOME OF THE RETREAT OF**  
**THE ASSEMBLY OF THE UNION ON THE**  
**FINANCING OF THE AFRICAN UNION (AU)**

**The Assembly,**

1. **REAFFIRMS** its determination to ensure that the AU is financed in a predictable, sustainable, equitable and accountable manner with the full ownership of its Member States;
2. **FURTHER REAFFIRMS** its earlier Assembly Decision on the Financing of the Union (Assembly/AU/Dec.578 (XXV) and the Decision of the 547<sup>th</sup> Meeting of the Peace and Security Council at the level of Heads of State and Government on 26 September 2015 requesting the Chairperson to appoint a High Representative on the Peace Fund;
3. **TAKES NOTE** of the Report of the African Union High Representative of the Peace Fund, Dr. Donald Kaberuka on Financing the African Union and the African Union Peace Fund and **EXPRESSES ITS DEEP APPRECIATION** for the excellent work undertaken;
4. **ALSO TAKES NOTE** of the contributions made by Dr. Carlos Lopes, Executive Secretary of the United Nations Economic Commission for Africa and Dr. Acha Leke of Mckinsey & Company;
5. **DECIDES** as follows:
  - (a) **On the financing of the Union:**
    - (i) To institute and implement a 0.2 percent Levy on all eligible imported goods into the Continent to finance the African Union Operating, Program and Peace and Security Operations Budget starting from the year 2017;
    - (ii) That the amounts collected from the levy shall be automatically paid by the national administration, into an account opened for the African Union with the Central Bank of each Member State for transmission to African Union in accordance with each member State assessed contribution;
    - (iii) That the Commission shall put in place a strong oversight and accountability mechanisms for ensuring the effective and prudent use of resources;
    - (iv) That the on-going institutional reform of the African Union to ensure a more effective attainment of the objective of the Union and prudent use of all resources, be completed;

**(b) On the Peace Fund:**

- (i) The Peace Fund shall be endowed from the 0.2 percent levy, referred to in paragraph 5(a)(i) above, with an amount of USD 325 million in 2017, rising to USD 400 million in 2020. This total amount shall be raised from equal contributions from each of the five regions of the African Union, as defined in the relevant instruments;
- (ii) To adopt the recommendations of the Report of Dr Donald Kaberuka, the High representative of the African Union Commission Chairperson on the Peace Fund to have three thematic windows (Mediation and Preventive Diplomacy; Institutional Capacity; and Peace Support Operations), clear governance structures and independent fund management;
- (iii) To request the Chairperson of the Commission to implement all aspects related to the operationalization of the African Union Peace Fund, in particular the legal, operational and financial rules and regulations;
- (iv) To mandate the Commission to finalise the processes relating to Decision making for seeking assessed contributions for African Union peace support operations and Human Rights and code of conduct compliance framework for Peace Support Operations;
- (v) To request the Chairperson of the Commission to undertake consultations with the Secretary General of the United Nations, the UN General Assembly, Security Council and other relevant partners, on the envisaged funding arrangements for the provision of UN assessed contributions for AU-led peace operations, bearing in mind the funding arrangements for the Peace Fund as outlined above;

**6. REQUESTS** the Commission to undertake a study on management of African natural resources, including the beneficiation of African minerals;

**7. FURTHER REQUESTS** the Chairperson of the Commission to report back to the Assembly in January 2017 on progress made in the implementation of this Decision.

**DRAFT**  
**DECISION ON THE REPORT OF THE**  
**AIDS WATCH AFRICA (AWA)**

**The Assembly,**

1. **TAKES NOTE** of the AIDS Watch Africa (AWA) Report and **ENDORSES** the recommendations therein contained including on the Africa Health Strategy, Maputo Plan of Action, and Catalytic Framework to End AIDS, TB and Eliminate Malaria in Africa by 2030;
2. **URGES** Member States to further strengthen their health systems and align their National Strategic Plans with the Africa Health Strategy and the Catalytic Framework to End AIDS, TB and Eliminate Malaria in Africa by 2030;
3. **NOTES WITH SATISFACTION** the significant progress made in reducing AIDS-related deaths, New HIV infections and elimination of mother to child transmission while TB requires more concerted efforts and investments;
4. **EXPRESSES CONCERN** that AIDS-related deaths and new HIV infections are increasing in North Africa while there is insufficient progress in reducing AIDS related deaths and New HIV infections as well as the elimination of mother to child transmission in West and Central Africa;
5. **WELCOMES** the 2016 Political Declaration on HIV and AIDS “On the Fast Track to Accelerate the Fight Against HIV and to End the AIDS Epidemic by 2030” which aligns with and supports the implementation of the targets set in the Common Africa Position and the Catalytic Framework;
6. **NOTES** the significant progress on the implementation of the Pharmaceutical Manufacturing Plan for Africa (PMPA) and its Business Plan and **REQUESTS** the Commission and its NEPAD Agency, UNIDO, WHO and UNAIDS as well as other stakeholders to further accelerate on-going efforts to ensure access to affordable and quality assured medicines;
7. **RECALLS** our previous commitments to domestic financing for health and accountability and **ENDORSES** the Africa Scorecard on Domestic Financing for Health;
8. **REQUESTS** the Commission in collaboration with WHO and other partners to support countries in strengthening National Health Accounts and submit the Africa Scorecard on Domestic Financing for Health annually to the Assembly;
9. **INVITES** Member States to share Best Practices on Innovative and Domestic Financing for Health and **APPEALS** to Member States to explore innovative

mechanisms to increase the allocation of domestic financing for health including health insurance schemes;

10. **REQUESTS** the Commission in partnership with all stakeholders to conduct a wide consultative process to develop the new AWA Strategic Framework (2016-2020);
11. **CALLS UPON** Member States and other stakeholders to support the 5<sup>th</sup> Replenishment target of the Global Fund in order to end AIDS, TB and malaria as public health threats by 2030 and to build resilient and sustainable health systems;
12. **INVITES** Member States to ensure that Environmental and Social Impact Assessments for large capital projects incorporate health considerations by improving the costing, allocation and monitoring of health mitigation measures;
13. **REQUESTS** the Chairperson of AWA to report on the progress made to the next June/July 2017 Ordinary Session of the Assembly.

**DRAFT  
DECISION ON THE NEW PARTNERSHIP FOR  
AFRICA'S DEVELOPMENT (NEPAD)**

**The Assembly,**

1. **NOTES WITH APPRECIATION** the Report by the Chairperson of the NEPAD Heads of State and Government Orientation Committee (HSGOC), H.E. Macky Sall, President of the Republic of Senegal;
2. **ENDORSES** the conclusions of the Thirty Fourth and Thirty Fifth Sessions of the NEPAD HSGOC Meeting;
3. **REAFFIRMS** the continued relevance and uniqueness of the vision, sector priorities and core values enshrined in NEPAD as the flagship programme of the African Union (AU) and as a shared vision to advance regional, political and economic integration for the economic emancipation of African people;
4. **RECALLS** Decision Assembly/AU/Dec.283 (VIV) on the need for the NEPAD Agency as the technical body of the African Union to have the required flexibility to carry out its mandate and **THEREFORE CALLS** on the African Union Commission to facilitate the implementation of that decision in line with the aspirations of NEPAD and its initiators;
5. **ENDORSES** the implementation of key regional and continental programmes and projects as reflected in the NEPAD Agency Results-based Performance Report for January-December 2015 **SPECIFICALLY NOTING** the progress on African Science Technology and Innovation Indicators (ASTII); African Medicines Regulatory Harmonization Programme (AMRH); the NEPAD Agency's contribution to the fight against Ebola Virus Disease; Strategic engagements on natural resources governance; technical support to Africa's participation in the global climate change negotiations; technical support to Regional Economic Communities (RECs) under the Partnership for African Fisheries (PAF); National Agriculture and Food Security Investment Plans (NAFSIPs); National Gender Climate Change Agriculture programmes and Capacity Development for Women in Agribusiness under CAADP; institutional development support to member states and RECs under the Capacity Development Strategic Framework (CDSF) and the design of the Youth and Skills Project under the Rural Futures Programme;
6. **APPRECIATES** progress recorded to date relating to the implementation of the Rural Futures Program which is promoting multi-sectorial approach for rural transformation by creating an enabling environment through a people centred development based on equity and inclusiveness; **FURTHER COMMENDS** the NEPAD Agency for the commencement of the Decent Job for Rural Areas Project in four (4) AU member states and **CALLS FOR** member states to support the Rural Futures Program as it provides opportunities for youth employment and fosters rural transformation;

7. **NOTES** the progress made in the development the NEPAD Policy Framework on Youth Employment in Africa;
8. **COMMENDS** the Government of Germany for the support provided to the NEPAD Skills Development Initiative which is expected to act as a catalyst for entrepreneurship development and **URGES** the NPCA to ensure a speedy implementation of the project;
9. **TAKES NOTES** of the importance of the African Rural Development Forum as a platform to engage on dialogue on inclusive development and rural transformation as well as on south-south cooperation to be held the second half of 2016. **REQUESTS** African members states, FAO, IFAD and other development partners to fully support and participate in the Forum;
10. **RECALLS** Decision Assembly/AU/Dec.579 (XXV) and **NOTES WITH APPRECIATION** the outcomes of the Dakar and Johannesburg regional dialogues and training on contract negotiation and tax policies and administration in the extractive industry; and **REQUESTS** the NEPAD Agency to continue the exercise as well as the implementation of the outcomes of Dakar and Johannesburg, including an in-depth understanding of the extractives' value chain;
11. In **furtherance** of the NEPAD Natural Resources Governance Programme, **TAKES NOTE** of the NEPAD partnership between OECD, NEPAD and GIZ on the CONNEX Initiative and **REQUESTS** this partnership to strengthen knowledge-generation and exchange as well as capacity development for African countries and AU institutions, in particular the NEPAD Agency;
12. **NOTES WITH APPRECIATION** the support extended to African Union member states and Regional Economic Communities under the NEPAD Climate Change Fund and **REAFFIRMS** full support to NPCA to seek accreditation to the Green Climate Fund as a Regional Implementing Entity. **ALSO CALLS ON** development partners and member states to contribute financially to the NEPAD Climate Change Fund;
13. **WELCOMES** the adoption of the Paris Agreement on Climate Change and **COMMENDS** the effective collaboration between the NEPAD Agency, African Union Commission, African Development Bank and the UN Economic Commission for Africa (UNECA) in hosting the African Pavilion at the 21st Conference of Parties (COP 21) to the United Nations Framework Convention on Climate Change in Paris, France **WHILST NOTING** the successful outcomes of the Africa Pavilion and Africa's overall participation at COP 21;
14. **APPRECIATES** the technical and financial support provided by the NEPAD Agency to Africa's climate change negotiating bodies, particularly the African Group of Negotiators during its preparatory and consultative meetings towards the 21<sup>st</sup> UNFCCC Conference of Parties and **REQUESTS** the NEPAD Agency to continue to provide technical support to member states in implementing and monitoring the outcomes of

the Paris Climate Agreement and to provide similar support towards COP22 in Morocco;

15. **COMMENDS** the African Union Commission, the NEPAD Agency and the AfDB including key strategic partners and the private sector for successfully holding the first PIDA Week held at the Headquarters of the African Development Bank in Abidjan, Côte d'Ivoire; **TAKES NOTE** of the Report of the Council for Infrastructure Development (CID) under the Institutional Architecture for Infrastructure Development in Africa (IAIDA) and **CALLS FOR** the institutionalization of the PIDA Week events. **WELCOMES** the proposal of Dr. Akinwumi ADESINA, President of the African Development Bank Group, to host the PIDA Week events annually;
16. **COMMENDS** the NEPAD Agency for establishing the Continental Business Network (CBN) and **WELCOMES** the efforts made to involve the private sector in PIDA implementation through the CBN. **NOTES** that the CBN as a platform will facilitate private sector participation in developing and financing infrastructure across the continent. **THEREFORE CALLS ON** the African Union Commission and the NEPAD Agency to work with private sector organisations to further the infrastructure dialogue between the CBN members and governments at the highest level;
17. **RECALLS** the Decision Assembly/AU/Dec.540 (XXIII) approving the formation of the Africa Global Partnership Platform (AGPP) and **COMMENDS** H.E President Macky Sall for hosting the inaugural plenary session of the AGPP in Dakar, Senegal. **NOTES** with interest the AGPP thematic focus of agriculture and infrastructure as key sectors for Africa's development and **FURTHER WELCOMES** the AGPP as a high-level dialogue on shared responsibilities between Africa and its development partners;
18. **CALLS UPON** the member states, the G7 and G20 together to support the operations of the AGPP Secretariat so as to ensure that the AGPP serves as a dynamic interlocutor between Africa and bodies such as the G7 and G20 on Africa's policies and priorities with respect to economic growth and social development. **NOTES WITH APPRECIATION** the leadership of H.E President Macky Sall in engaging his G7 and G20 counterparts on Africa's inclusive development;
19. On implementation of the Science, Technology and Innovation Strategy for Africa (STISA 2024), **COMMENDS** the progress made in the establishment of the Alliance for Accelerating Excellence in Sciences in Africa (AESIA). **ENDORSES** the request by the Technical Specialised Committee (STC) on Education, Science and Technology that the NEPAD Agency working with the AUC should advise member states and RECs on matters of technology prospecting including regulatory and ethical requirements that need to be put in place in order for the continent to benefit from emerging technologies for economic development and environmental sustainability. **FURTHER DIRECTS** the NEPAD Agency to establish a system for obtaining expert contribution on the matters of technology development, acquisition and deployment for economic development;

20. On implementation of the Pharmaceutical Manufacturing Plan for Africa (PMPA), **COMMENDS** the progress made in the implementation of the African Medicines Regulatory Harmonization (AMRH) Programme especially in the East African Community (EAC) region. **THEREFORE CALLS UPON** the NEPAD Agency, the West Africa Health Organization (WAHO) and the West Africa Monetary Union (WAEMU) to expedite the roll-out of the AMRH Programme in the West Africa Region in 2016 and present a progress report on implementation at the HSGOC in January 2017;
21. In supporting efforts towards ending Tuberculosis by 2030: **COMMENDS** the Kingdom of Lesotho, Republic of Malawi, Republic of Mozambique and Republic of Zambia for their willingness to collaborate in tackling the burden of TB with emphasis on the mining sector while strengthening critical dimensions of health systems. **FURTHER COMMENDS** the NPCA for collaborating with the East, Central and Southern Africa Health Community (ECSA-HC) to support implementation of the project in the four member states and the World Bank for the technical and financial support for the project. **ACCORDINGLY REQUESTS** the NPCA in partnership with ECSA-HC, and in collaboration with SADC to facilitate implementation of the regional components of the project. In the process of implementation, facilitate piloting of innovative approaches to TB control and utilise lessons learnt among the four countries to out-scale to more countries. **CALLS UPON** member states, regional bodies and international partners to support implementation of the project and scale up effort including expansion to other equally affected countries;
22. **CONGRATULATES** the president and the people of the Republic of Zimbabwe for establishing the Pan-African Minerals University of Science and Technology (PAMUST) which aims to contribute to building skills in mineral resources beneficiation and improve the quality, productivity, and competitiveness of the African mining industry; **FURTHER CALLS UPON** the NEPAD Agency to support the establishment of PAMUST; and **REQUESTS** the African Development Bank and private sector to support PAMUST;
23. **CONGRATULATES** the countries that have been declared free of Ebola during the third and fourth quarters of 2015 and **CALLS UPON** the NEPAD Agency to continue mobilizing partners and resources to continue with the work on developing and testing vaccines and therapies for Ebola Virus Disease and other emerging diseases;
24. **COMMENDS** the NEPAD Agency for establishing an online platform that will promote learning and foster information and knowledge sharing for Africa's transformation. **CALLS UPON** the NEPAD Agency, in collaboration with other partners, to support member states and RECs to effectively use the online learning and knowledge exchange platform. **FURTHERMORE, URGES** the NEPAD Agency to facilitate systematic learning and sharing knowledge and expertise among RECs and Member States around pertinent issues obtaining to Africa's transformation. The platform is available on <http://www.nepad.org>;



25. **REQUESTS** the NEPAD Agency to strengthen its think-tank function as stipulated in its mandate in order to effectively inform development discourses on the continent and guide the implementation of continental development frameworks, drawing on best practices;
26. **IN GENERAL EXTOLS** the enriched quality of the technical work of the NPCA under the leadership of the Chief Executive Officer, Dr. Ibrahim Assane Mayaki.

**DRAFT**  
**DECISION ON AFRICA RENEWABLE ENERGY**  
**INITIATIVE (AREI) GOVERNANCE STRUCTURE**

**The Assembly,**

1. **RECALLS** Assembly decision AU/Dec.603(XXVI) calling for the establishment and operationalization of the AREI and the Report presented by H.E. Alpha Conde, President of the Republic of Guinea;
2. **DECIDES** that:
  - a) The governance structure of the AREI shall be comprised of the following components:
    - i) A Board of Directors which shall be composed of at least nine members (seven African and two non-regional);
    - ii) A Technical Committee (TC) composed of high level experts with proven experience in the energy sector in investment and development issues on the continent or in developing countries;
    - iii) A Trustee (African Development Bank) to manage the initiative's resources;
    - iv) An Independent Delivery Unit (IDU) to coordinate the annual work programme, conduct daily support activities, manage applications in consultation with the TC and communicate with stakeholders on behalf of the Initiative.
  - b) The AfDB will host the IDU which shall be accountable to the AREI Board.
3. **MANDATES** the Commission in collaboration with the African Development Bank as co-leaders of the initiative to operationalize the AREI in furtherance of Africa's development and industrialisation and to report to the 28<sup>th</sup> Ordinary Session of the Assembly in January 2017.

**DRAFT**  
**DECISION ON THE SITUATION IN SOUTH SUDAN**

**The Assembly,**

1. **TAKES NOTE** of the Report of the Chairperson on the State of Peace and Security in Africa and the briefing provided by the African Union (AU) Commission on the situation in South Sudan;
2. **RECALLS** the communiques PSC/PR/COMM(DCIX) and PSC/PR/1(DCXII) of the meetings of the PSC 609<sup>th</sup> and 611<sup>th</sup> held on 30 June 2016 and 11 July 2016, respectively, on the situation in South Sudan;
3. **STRONGLY CONDEMNNS** the outbreak of fighting that took place on 7 July 2016 in Juba, resulting in loss of lives and other tragic impacts on civilians, as well as the cowardly attacks against diplomatic missions, protection of civilians sites, United Nations Mission in South Sudan (UNMISS) peacekeepers and the United Nations (UN) assets and facilities, including the looting of humanitarians stores;
4. **EXPRESSES DEEP CONCERN** at the slow pace and recurring setbacks on the implementation of the Agreement on the Resolution of the Conflict in the Republic of South Sudan (ACRSS) signed in August 2015. In this respect, the Assembly **REITERATES ITS HEARTFELT DISAPPOINTMENT** at the lack of implementation of the Peace Agreement by the South Sudanese leaders and **APPEALS** to them to comply fully with ceasefire arrangements in place and take all necessary steps to ensure that troops on ground uphold the ceasefire.
5. **URGES** the parties to immediately respect a strict ceasefire and revert to the Transitional Government of National unity (TGoNU) and live up to their commitments, as outlined in the Agreement, including through cooperating with the Joint Monitoring and Evaluation Commission (JMEC), in order to achieve durable peace in the country;
6. **COMMENDS** the Inter-Governmental Authority on Development (IGAD) for its leadership and untiring engagement in the quest for lasting peace in South Sudan, and **PAYS TRIBUTE** to the AU High Representative for South Sudan, former President Alpha Oumar Konare, and the Chair of JMEC, former President Festus Mogae, for their sustained efforts. The Assembly **URGES** the south Sudanese stakeholders, in particular President Salva Kiir and First Vice-President Riek Machar, to show true leadership and commitment, by sustaining the current cessation of hostilities and committing themselves to the full and speedy implementation of the Agreement;
7. **WELCOMES** the meeting of Heads of State and Government of the IGAD-Plus on the Situation in South Sudan in Kigali, Rwanda, and the IGAD ministerial meeting on the situation in South Sudan in Nairobi, Kenya, held on 16 July 2016 and 11 July 2016, respectively;

8. **ENDORSES** the communique of the Summit meeting of the Heads of State and Government of the IGAD-Plus on the situation in South Sudan, in particular with respect to the reinforcement of UNMISS as proposed by the UN Secretary-General and the call to the UN Security Council to extend the Mission of UNMISS with a revised mandate, including the deployment of a regional protection force to separate the warring parties, protect major installations and civilian population and delimitarize Juba;
9. **EXPRESSES DEEP CONCERN** over the prevailing humanitarian plight in South Sudan and **CALLS ON** the international community to continue providing sustained support and assistance to the affected population. The Assembly **APPEALS** to the international community to provide assistance to the TGoNU, in order for it to begin to fully function and meet the needs of the people, as part of providing peace dividends;
10. **REQUESTS** the Peace and Security Council (PSC) of the AU to immediately take the necessary decision on the communique of the summit meeting of the Heads of State and Government of the IGAD-Plus on the situation in South Sudan, in order to urgently engage the UN Security Council, for urgent action, as appropriate;
11. **LOOKS FORWARD** to the planned PSC visit to South Sudan, and **STRESSES** the critical importance of the convening of a pledging conference in support of South Sudan as called for by the PSC.

**DRAFT**  
**DECISION ON THE ESTABLISHMENT OF AN AFRICAN UNION  
SPECIAL FUND ON PREVENTION AND COMBATING  
TERRORISM AND VIOLENT EXTREMISM IN AFRICA**

**The Assembly,**

1. **TAKES NOTE** of the briefing provided by the African Union (AU) Commission on African efforts on preventing and combating terrorism and violent extremism in Africa;
2. **RECALLS** the OAU/AU pertinent decisions and resolutions on the prevention and combating of terrorism in Africa and in this context, the Assembly **REAFFIRMS** the importance of the AU and international instruments in the fight against terrorism;
3. **EXPRESSES ITS DEEP CONCERN** over the scourge of terrorism and violent extremism which continues to spread with serious consequences in the continent and **REITERATES ITS STRONG CONDEMNATION** of all acts of terrorism committed on the continent by whomever, wherever and for whatever purposes. In this context, the Assembly **EXPRESSES ITS HEARTFELT** condolences to all the victims of terrorist attacks in Africa and in other parts of the world;
4. **DECIDES** to establish an AU Special Fund for Prevention and Combating of Terrorism and Violent Extremism, to be funded through voluntary contributions. In this respect, the Assembly **REQUESTS** the AU Commission to work out the necessary modalities to this effect, as well as its mechanism of functioning;
5. **FURTHER REQUESTS** the AU Commission to report, through the Permanent Representatives Committee (PRC) and the Executive Council, to the next ordinary session of the Assembly of the Union on the progress made in implementing this decision.

**DRAFT**  
**DECISION ON THE ELECTION OF MEMBERS**  
**OF THE COMMISSION**

**The Assembly,**

Having conducted the election of the Chairperson of the Commission and taking note that none of the candidates has obtained the required two-thirds majority.

**1. DECIDES to:**

- i) suspend the election of the Members of the Commission, in conformity with Rule 42 (5) of the Rules of Procedure of the Assembly;
- ii) extend the term of office of the current Members of the Commission until new elections are held thereby suspending the application of Rule 42 (7) of the Rules of Procedure of the Assembly;
- iii) re-open the nomination process for the election of Members of the Commission which nomination process may include the former candidates;
- iv) hold the elections for the Members of the Commission during the next ordinary Session of the Assembly in January 2017;

**2. REQUESTS** the Commission to take all necessary measures towards the implementation of this decision and **APPROVES** the sum of \$120,000 (One Hundred and Twenty Thousand) for the work of the Ministerial Panel and related activities to be provided as a supplementary budget.

**DRAFT**  
**DECISION ON THE REPORT OF THE COMMISSION**  
**ON THE HISSENE HABRE CASE**  
**Doc. EX.CL/986(XXIX)**

**The Assembly,**

1. **TAKES NOTE** of the Report of the Commission on the implementation of the Assembly decision on the Hissene Habre trial;
2. **CONGRATULATES** the Republic of Chad, the Republic of Senegal, the Commission, AU Partners, Countries and Institutions that contributed to the establishment and funding of the African Extraordinary Chambers towards the successful conclusion of proceedings in the Hissene Habre case;
3. **EXPRESSES ITS GRATITUDE and COMMENDS** the Republic of Senegal for having adequately discharged the mandate to have Hissene Habre prosecuted by the competent African Extraordinary Chambers with all the guarantees for a fair trial;
4. **WELCOMES** the Decision of the African Extraordinary Chambers in the Hissene Habre case;
5. **NOTES** the Commission's effort on the operationalization of the Appeals Chamber of the African Extraordinary Chambers to hear appeals from the decision of the Trial Chamber;
6. **Pursuant** to Articles 27 and 28 of the Statute of the African Extraordinary Chambers on the need to address reparation for victims and the establishment of a reparation fund for victims, **DECIDES:**
  - i) That a Trust Fund on reparations for rightful victims of crimes within the jurisdiction of the African Extraordinary African Chamber shall be established within the auspices of the Union;
  - ii) To request the Commission, in collaboration with the Government of Chad to organize a pledging Conference involving Member States, Partner Countries, international organizations, non-governmental organizations and other entities for voluntary contributions towards the establishment of the victims' reparations Trust Fund;
  - iii) That the Executive Council shall make resources available to the Commission for the organization of the pledging conference.

**DRAFT**  
**DECISION ON THE INTERNATIONAL CRIMINAL COURT**  
**Doc. EX.CL/987(XXIX)**

**The Assembly,**

1. **TAKES NOTE** of the recommendations of the Executive Council on the implementation of Decisions on the International Criminal Court (ICC);
2. **REITERATES** the following:
  - i) The commitment of the African Union and its Member States to the fight against impunity in accordance with the Constitutive Act of the African Union;
  - ii) Its previous Decision Assembly/AU/Dec. 547(XXIV) on the progress Report of the Commission on the Implementation of Previous Decisions on the International Criminal Court (ICC) adopted by the Twenty-Fourth Ordinary Session of the Assembly held in Addis Ababa, Ethiopia, in January 2015, and in particular paragraph 17 (d) suspension of proceedings against President Omar Al Bashir of The Sudan and **URGES** the United Nations Security Council to withdraw the referral case in The Sudan;
  - iii) Its previous decision that the Open Ended Ministerial Committee should meet with the United Nations Security Council (UNSC) to engage on all issues that have been consistently raised by the African Union
  - iv) All Member States should comply with the Assembly Decisions on the warrants of arrest issued by the ICC against President Al Bashir of The Sudan and subsequent ICC notifications to the UNSC of so-called non-complying states pursuant to Article 23 (2) of the Constitutive Act of the African Union and Article 98 of the Rome Statute of the ICC;
  - v) That AU Member States sign and ratify, as soon as possible, the Protocol on Amendments to the Protocol of the African Court of Justice and Human and Peoples' Rights adopted in Malabo (Equatorial Guinea) on 27 June 2014.
3. **WELCOMES** the decision of Trial Chamber of the ICC to terminate the proceedings against the Deputy President of the Republic of Kenya due to insufficient evidence adduced by the Prosecutor, which gives credence to its previous Decision Assembly/AU/Dec. 590 (XXVII) that the continued prosecution of the Deputy President is without foundation given the unambiguous absence of incriminatory evidence;
4. **COMMENDS** the members of the Open ended Committee of Foreign Ministers ("*Open ended Ministerial Committee*") under the chairpersonship of H.E. Dr. Tedros Adhanom Ghebreyesus, Minister of Foreign Affairs of the Federal Democratic Republic of Ethiopia for the work done so far;



5. **TAKES NOTE** of the upcoming session of the 15<sup>th</sup> Assembly of the States Parties of the ICC (ASP) scheduled to take place in November 2016 in The Hague and **DECIDES** that:
- i) At the upcoming 15<sup>th</sup> ASP in November 2016, African States Parties to the Rome Statute of the ICC should reject the provisional amendment to rule 165 of the Rules of Procedure and Evidence adopted by the judges of the International Criminal Court during their 34th plenary session as this will increase prejudice, may be used to circumvent substantive rights enshrined in the Rome Statute and remove the possibility of the checks and balances in the form of a dissenting opinion;
  - ii) African States Parties to the Rome Statute of the ICC should reject during the consideration and adoption of the draft ICC Action Plan on Arrest Strategies any provision that includes language requiring the UNSC to mandate UN Peacekeeping missions to enforce ICC arrest warrants in Africa because the exercise of arrest is a sovereign power that cannot be delegated to any other authority;
  - iii) The Open Ended Ministerial Committee should:
    - a) Engage the United Nations Security Council as mandated by the Assembly before the January 2017 Ordinary Session of the Assembly of Heads of State and Government and before the upcoming 15<sup>th</sup> Assembly of States Parties (ASP) in November 2016;
    - b) Implement Decision Assembly/AU/Dec.590 (XXVI) adopted by the 26<sup>th</sup> Ordinary Session held in Addis Ababa, Ethiopia in January 2016 on the development of a comprehensive strategy including on a collective withdrawal from the ICC to inform the next action of AU Member States that are also parties to the Rome Statute; and
    - c) Conclude its work on the review of the ICC's interpretation of its power pursuant to Article 93 of the Rome Statute that allows the latter to impose on the State Parties to forcibly compel unwilling witnesses to testify before the ICC, with a view to rejecting witness compulsion *in toto* and inform the ICC and the next ASP accordingly.
    - d) In its engagement with UNSC, the Assembly of State Parties to the Rome Statute and other stakeholders on AU concerns on the activities of the ICC in Africa, convey that the AU member states object to the inclusion of language requiring the UNSC to mandate UN Peacekeeping missions to enforce ICC arrest warrants in Africa;
    - e) The Commission, through the AU Mission in Brussels, Belgium, will serve as the secretariat to the Open-ended Ministerial Committee and provide institutional support to the African Group in The Hague, Netherlands to ensure effective coordination of its activities;

6. **REQUESTS** the Commission in collaboration with all stakeholders to follow-up on this matter to ensure that the African proposals and concerns are addressed and to report regularly to the Assembly through the Executive Council.

## DRAFT

## DECLARATION OF THE ASSEMBLY ON THE THEME OF THE SUMMIT

**We**, the Heads of State and Government of the African Union (AU), meeting at the 27<sup>th</sup> Ordinary Session of the Assembly of the Union in Kigali, Rwanda, from 17 to 18 July 2016, and after having debated the theme of the year, namely, **‘The African Year of Human Rights with Particular Focus on the Rights of Women’**;

**Recalling** the Decision *EX.CL/Dec.842(XXV)*, which was endorsed by the 25<sup>th</sup> Ordinary Session, held from 20 to 24 June, 2014, in Malabo, Equatorial Guinea, which decided to “...declare 2016 as the African Year of Human Rights with Particular Focus on the Rights of Women...”

**Inspired** by Africa’s continued quest for the promotion and protection of human and people rights as well as Africa’s contribution to the universal principles of governance, democracy, and human rights;

**Reiterating** our commitment made in the Banjul Declaration on the 25<sup>th</sup> Anniversary of the African Charter on Human and People’s Rights adopted during the 7<sup>th</sup> Ordinary Session of the Assembly to ensure respect for human and peoples’ rights as a prerequisite for the attainment of our common vision of a united and prosperous Africa;

**Re-affirming** our commitment to the African Shared Values embodied in the Constitutive Act of the African Union, which, amongst others, emphasise the significance of democratic governance, popular participation, the rule of law and human and peoples’ rights;

**Re-committing ourselves** to the promotion and protection of human and peoples’ rights in Africa as part of the African Shared Values, which is one of the pillars of the AU Agenda 2063, through which the Member States, through the technical support of the Commission of the African Union seeks to implement the vision of the Union;

**Cognizant** of the critical role of women, youth and civil society in the promotion and protection of human and peoples’ rights and the importance of securing and enhancing their participation in the popularization and domestication of these values;

**Determined** to protect and promote women’s human rights as embodied in the Protocol on the African Charter on Human and People’s Rights on the Rights of Women in Africa and the Solemn Declaration on Gender Equality in Africa which specifically addresses rights that are particular to women in Africa and rooted in the Constitutive Act of the African Union;

**Desirous** of the need to continue to promote and encourage democratic practices, good governance and the rule of law, promote and protect human and peoples’ rights and fundamental freedoms, respect for the sanctity of human life and international humanitarian law, as part of the efforts to prevent conflict on the Continent;

**Convinced** that the AU Organs with a human rights mandate are well positioned to fulfil their mandate to promote and protect human and peoples' rights in Africa as stipulated in the Human Rights Strategy for Africa of 2011;

**Further convinced** that the Regional Economic Communities (RECs) and their regional institutions constitute the building blocks in the promotion and protection of human and peoples' rights in Africa based on the African Shared Values;

**Mindful** that the Continent still faces many challenges in promoting and protecting human and peoples' rights as well as ratifying, domesticating and implementing human rights instruments and recognizing that there are a number of obstacles that need to be overcome in furtherance of the Africa Shared Values;

Now, hereby:

1. **AFFIRM** that Human Rights and the rights of women in particular are a Collective Responsibility of all in Africa;
2. **COMMIT** ourselves to enhancing efforts aimed at entrenching and reinforcing deeper understanding of the culture of human and peoples' rights, in particular the rights of women, and their promotion and popularization amongst the African peoples by declaring the next ten years as **"the Human and Peoples' Rights Decade in Africa"** and its Action Plan;
3. **RE-COMMIT** ourselves to expedite the ratification, domestication and implementation of all human and peoples' rights instruments, in particular the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in African (Maputo Protocol), and call upon the African Union Commission (AUC) to put in place measures and modalities to support Member States to establish the required capacities and processes for monitoring and review of the domestication efforts;
4. **REITERATE** our unflinching determination to promote and protect human and people's rights and all basic freedoms in Africa and the need for the consolidation and the full implementation of human and peoples' rights instruments and relevant national laws and policies as well as decisions and recommendations made by the AU Organs with a human rights mandate;
5. **UPHOLD** firmly the principles of universality, objectivity and non-selectivity in the consideration of human rights and elimination of double standards and politicisation;
6. **ALSO UPHOLD** our common position that the promotion and protection of human rights should be based on the principle of cooperation and genuine dialogue aimed at strengthening the capacity of Member States to comply with their human rights obligations;

7. **CALL UPON** the Commission to ensure the independence and integrity of AU organs with human rights mandate by providing adequate financing and shielding them from undue external influence;
8. **ALSO REITERATE** our commitment to eliminate violence and all forms of every discrimination against women and to ensure the protection of the rights of women as stipulated in the Maputo Protocol and the international declarations and conventions as well as empowering women by granting their full rights;
9. **FURTHER REITERATE** our commitment to promote the right to development (including the right to water and sanitation, health, shelter and education) as an inalienable human and peoples' right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized;
10. **EXPRESS** great satisfaction at the positive contributions made by the AUC and AU Organs with a human rights mandate and **Request** them to ensure greater synergy between the African Governance Architecture and the African Peace and Security Architecture in order to ensure that the developments in the terrain of human rights feature prominently on the agenda of the Peace and Security Council;
11. **ENCOURAGE** the Commission and AU Organs with a human rights mandate to strengthen the African system for the promotion and protection of human and peoples' rights through wider communication and information sharing, coupled with direct support of Member States, by ensuring the strengthening of human rights institutions and putting in place all the necessary measures so that success is documented and challenges noted to ensure that there is on-going review of progress in the implementation of adopted human rights instruments;
12. **CALL UPON** the RECs to work closely with the Commission and other AU Organs with a human rights mandate in harmonizing their instruments and further urge them to collectively promote and protect human and peoples' rights on the Continent;
13. **ALSO CALL ON** the Commission and AU Organs with a human rights mandate to identify modalities for the participation of African Research Institutes, Universities, Civil Society and the Media in promoting the culture of human rights in Africa including the protection and promotion of the rights of women;
14. **FURTHER CALL ON** the Commission and AU Organs with a human rights mandate to identify the obstacles that have hindered implementation of human and peoples' rights instruments and our previous commitments relating to human rights with special focus on the rights of women and to propose modalities for addressing them;
15. **NOTE WITH APPRECIATION** the support provided by our bilateral and multilateral partners and call on them to continue working closely with us to build and enhance the

capacity of the AU and its Member States to promote and protect human and peoples' rights;

16. **REQUEST** the Commission and AU organs with a human rights mandate to take necessary steps to establish the Pan-African Human Rights Institute (PAHRI) and to encourage Member States to commit to host it;
17. **ALSO REQUEST** the Commission to report regularly on the implementation of this Declaration.

**DRAFT**  
**DECLARATION ON THE SITUATION IN**  
**PALESTINE AND THE MIDDLE EAST**  
**Doc. EX.CL/961(XXIX)**

**We**, the Heads of State and Government of the African Union, having met at our Twenty Seventh Ordinary Session of the AU Assembly in Kigali, Rwanda from 17 to 18 July 2016;

**Taking Note** of the Report on the Situation in the Middle East and Palestine, and **Recalling** all resolutions and decisions of the Organization of African Unity/African Union on the Situation in Palestine towards achieving lasting peace and security in the Middle East;

**Reaffirming** our full support to the Palestinian people under the leadership of the Palestinian Liberation Organization in their quest for the restoration of their legitimate rights to establish an independent state co-existing peacefully with the State of Israel with East Jerusalem as its capital, and **CALLING FOR** the implementation of Resolution 194 requiring the return of the Palestinian refugees to their home and properties;

**Reiterating** our wish for the peaceful resolution of the Arab-Israeli conflict in accordance with the principles of international law and all relevant United Nations resolutions; and **EXPRESSING** support for the two-state solution;

**Renewing** our call for the resumption of negotiations between the two sides in order to reach a just, comprehensive and lasting peace in the Middle East; and **SUPPORT** all initiatives aimed at bringing peace to the region in particular the French initiative of holding international peace conference aimed at re-launching negotiations to solve the Palestine-Israeli conflict on specific timeframe;

**Condemning** the continued occupation of Palestinian lands and the Judaization campaign aimed at changing all Islamic and Christian features of the Holy City and reducing the Palestinian population to the fullest extent through the confiscation of their lands and the destruction of their homes, and **FURTHER CONDEMNING** the illegal settlements in the West Bank, Jerusalem, and in the occupied territory of the Syrian Golan Heights;

**Denouncing** the Israeli practices against the Palestinian prisoners and detainees, which are contrary to the international law and international humanitarian law, and **CALLING ON** the Israeli government to release all Palestinian and Arab political prisoners and detainees in the Israeli jails;

**Equally Demanding** that Israel refrains from using acts of terrorism against the Palestinian's civilian populations as well as arbitrary arrests of Palestinians including children and women which is an act of violation of international laws and human rights norms including the Geneva Convention on the Rights of Women and Children;

**WE HEREBY:**

1. **CALL ON** the international community to exert pressure on Israel to stop all settlement activities, release Palestinian prisoners in Israeli jails and support the efforts of the Palestinians for membership in international agencies and to join international conventions and protocols;
2. **REJECT AND CONDEMN** the illegal settlements by the Israeli occupation and **CALL ON** the international community to put pressure on Israel to immediately stop these settlements;
3. **FURTHER REJECT** the land sea blockage imposed on the Gaza Strip, which led to the deterioration of the economic and humanitarian situation, and **DEMAND** an immediate lifting of all restrictions on the Gaza Strip;
4. **REQUEST** the UN Security Council to shoulder its responsibilities in maintaining international peace and security, and to take the necessary steps to resolve the Arab-Israeli conflict in all its aspects, to achieve a just, comprehensive and lasting peace in the region based on the principle of a two-state solution, according to the 1967 borders, and apply the provisions of relevant international law and previous decisions of the Council in this regard;
5. **URGE** Member States to boycott goods and products that are produced and exported from the settlements in the Palestinian territories including East Jerusalem;
6. **REQUEST** the United Nations and the Quartet to move immediately to shoulder their responsibilities and pressure Israel to commit to the process of serious peace process negotiations;
7. **FURTHER REQUEST** Member States to continue to support the Palestinian people in their struggle to establish a sovereign state over its national territory with Quds El-Sharif (Jerusalem) as its capital;
8. **REAFFIRM** the right of the Palestinian people to establish their own Palestinian Independent State with East Jerusalem as its capital on its borders of June 1967, and supports the Palestinian approach to obtain full membership of the State of Palestine at the United Nations;
9. **REITERATE** that a just, comprehensive and lasting peace in the Middle East, demands a full withdrawal of Israel from the occupied Arab and Palestinian territories to the line of June 1967, including the Syrian Golan Heights and territories still occupied in southern Lebanon.



**DRAFT**  
**DECLARATION ON THE COMMEMORATION OF THE TENTH 10<sup>TH</sup> ANNIVERSARY**  
**OF THE OPERATIONALIZATION OF THE AFRICAN COURT**  
**ON HUMAN AND PEOPLES' RIGHTS**

**We** the Heads of State and Government of the African Union, meeting at the 27<sup>th</sup> Ordinary Session of the Assembly, held in Kigali, Rwanda from 17 to 18 July 2016;

**Recalling** Executive Council Decision EX.CL/Dec. 903 (XXVIII), requesting the African Court on Human and Peoples' Rights (the Court) to "present, in collaboration with the AU Commission and the PRC, at the July 2016 Ordinary Session of the Assembly, through the Executive Council, a Declaration on the Commemoration of the 10<sup>th</sup> Anniversary of the Operationalization of the African Court on Human and Peoples' Rights".

**Recalling** the adoption of the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights (the Protocol) on 9 June 1998, in Ouagadougou, Burkina Faso;

**Noting** that the Protocol was established to enhance the protective mandate of the African Commission on Human and Peoples' Rights (the Commission) in particular, and the enjoyment and protection of human and peoples' rights on the continent generally;

**Noting** the entry into force of the Protocol on 25 January 2004, the election of the first Judges of the Court in January 2006, and the swearing-in of the said Judges in July 2006, during the 7<sup>th</sup> Ordinary Session of the Assembly, held in Banjul, The Gambia, from 1 to 2 July 2006;

**Noting further** that 2016 marks the Tenth (10<sup>th</sup>) Anniversary of the operationalization of the African Court on Human and Peoples' Rights; and has been declared African Year of Human Rights with focus on the rights of women;

1. **CONGRATULATE** the Court, as it commemorates its Tenth Anniversary this year, for the laudable role it has played, in collaboration with other stakeholders, particularly Member States, National Human Rights Institutions, Bar Associations and Civil Society Organisations and other partners, in enhancing the protection of human and peoples' rights in Africa;
2. **Noting in particular** the contribution of the Court in the development of the African human rights jurisprudence;
3. **REITERATE** our commitment made in the Banjul Declaration on the 25<sup>th</sup> Anniversary of the African Charter on Human and Peoples' Rights, adopted during the 7<sup>th</sup> Ordinary Session of the Assembly, and in in this regard, **RE-AFFIRM** our full support to the Court, and commit ourselves to provide the necessary human and financial resources to allow the Court to discharge its functions effectively and efficiently, as well as to fully cooperate with and render all the necessary assistance to the Court.

4. **FURTHER REITERATE** our intention to strengthen the protection of human rights in particular, and the Justice system on the continent as a whole, including the fight against impunity;
5. **CONCERNED** that almost two decades after the adoption of the Protocol, only 30 Member States have ratified it and only 7 have deposited the declaration under Article 34(6) thereof;
6. **CONGRATULATE** the 30 State Parties that have ratified the Protocol, that is, Algeria, Benin, Burkina Faso, Burundi, Cameroon, Chad, Congo, Côte d'Ivoire, The Comoros, Gabon, The Gambia; Ghana, Kenya, Libya, Lesotho, Malawi, Mali, Mauritania, Mauritius, Mozambique, Niger, Nigeria, Uganda, Rwanda, Sahrawi Arab Democratic Republic, Senegal, South Africa, Tanzania, Togo and Tunisia;
7. **FURTHER CONGRATULATE** the 7 States that have deposited the declaration, that is, Benin, Burkina Faso, Côte d'Ivoire, Ghana, Malawi, Mali and Tanzania;
8. **REITERATE** Executive Council decisions EX.CL./Dec.842(XXV) of June 2014 and EX.CL/Dec.865(XXVI) of January, 2015, **urging** those States that have not already done so, to take all necessary measures to ratify the Protocol and deposit the Article 34(6) declaration during the course of 2016, as we commemorate the Tenth Anniversary of the Court and celebrate African Year of Human Rights with focus on the rights of women;
9. **WELCOME** the adoption of the Protocol on Amendments to the Protocol on the Statute of the African Court of Justice and Human Rights, in Malabo, Equatorial Guinea (Malabo Protocol) in June, 2014, which seeks to fight impunity on the continent;
10. **NOTE WITH CONCERN** that two years after the adoption of the said Protocol, only nine (9) Member States have signed and none ratified it;
11. **CONGRATULATE** the 9 States that have signed the Protocol, that is, Benin, Chad, Congo, Guinea Bissau, Kenya, Mauritania, Sierra Leone and Sao Tomé and Príncipe;
12. **URGE** all Member States of the African Union to manifest their commitment to the protection of human rights, justice and the fight against impunity, by taking urgent and necessary measures to ratify the Malabo Protocol before the end of 2016;
13. **REDEDICATE** ourselves to ensuring respect for human and peoples' rights, justice and the fight against impunity as pre-requisites for the attainment of our common vision of a united and prosperous Africa.

**DRAFT**  
**DECLARATION ON ACCELERATING IMPLEMENTATION OF INTERNATIONAL  
HEALTH REGULATIONS IN AFRICA**

**We, the Heads of State and Government meeting in Kigali, Rwanda at the 27<sup>th</sup> Ordinary Session of African Union Assembly from 17 to 18 July 2016;**

***Deeply concerned*** about the increasing public health events and recurrent epidemics on our continent and their huge socio-economic impact, as well as the inadequate implementation of the International Health regulations (IHR);

***Noting*** the progress made so far in improving the health security of Africa in general and in particular controlling the Ebola outbreak in West Africa as well as ongoing efforts in tackling Yellow Fever, Zika, Chikungunya, Cholera among others;

***Mindful*** of the efforts being made by the Africa Centers for Disease Control and Prevention (Africa CDC) in disease surveillance, detection and response including emergency preparedness, as well as its important role in further strengthening the International Health Regulations (IHR) on our continent;

***Mindful Also*** of the important role being played by the World Health Organization (WHO), the Commission and other stakeholders in the improvement of Health security in Africa;

***Recognizing*** that a fundamental part of the governments' basic duty is to protect its citizens against health insecurity, risks and emergencies and **CONSIDERING** the importance of meeting IHR core capacities in disease outbreak prevention, preparedness and response.

**1. COMMIT to:**

- i) Accelerate the implementation of IHR at national, provincial and local levels with a clear road map and monitoring mechanisms;
- ii) Put in place multi-sectorial mechanisms to accelerate the implementation of IHR;
- iii) Mobilize the necessary resources to implement the road maps for acceleration of implementation of IHR.

**2. REQUEST the Commission, WHO, Africa CDC and other stakeholders to:**

- i) Provide the necessary technical support to Member States for accelerating the implementation of IHR;
- ii) Monitor and report the implementation of IHR within the context of the framework for collaboration between WHO and Commission on the establishment and operationalization of Africa CDC to improve health security in Africa;
- iii) Submit biennial report of the implementation of IHR at the Assembly.

**DRAFT**  
**RESOLUTION ON THE SELECTION PROCESS FOR THE  
POST OF UNITED NATIONS SECRETARY GENERAL**

**We**, the Heads of State and Government of the African Union, meeting at the 27<sup>th</sup> Ordinary Session of the Assembly, held in Kigali, Rwanda from 17 to 18 July 2016;

**Considering** the on-going process of selection for the Post of Secretary-General of the United Nations against the background of current global mega trends, global economic and political inter-dependence as well the need for strong international cooperation and partnerships;

**Considering Also** Africa's role and place in the strengthening of world governance, particularly in team of UN Secretary General;

**Taking into Account** Africa's aspirations and legitimate demands as espoused in the Enzulweni Consensus and in Africa's 2063 Agenda as well as its Ten Year Implementation Plan;

**Further Noting** the pivotal role of African Members of the UN Security Council (A3) in the selection process at the level of the UN Security Council:

1. **WELCOME** the efforts of the General Assembly to ensure a transparent, open and inclusive process for selecting the best candidate for the post of UN Secretary-General in conformity with General Assembly Resolution 69/321;
2. **ALSO WELCOME** the active engagement of the African Group in New York in the selection process of the Secretary General with a view to making Africa's voice heard and to having its concerns taken into account;
3. **REQUEST** the African Group in New York to continue to promote and defend as a united body, Africa's interests and priorities with all candidates by making use of its numeric strength and insisting on respect of key principles of fundamental interest to Africa, notably:
  - i) Regional Rotation;
  - ii) Equitable Geographical Distribution including gender balance in the appointments to senior positions;
  - iii) Reinforcement of the authority of the General Assembly (e.g. the appointment of the Secretary-General by a formal resolution adopted by secret ballot instead of by acclamation consistent with paragraph 141 of the Rules of Procedures of the General Assembly).

4. **CALL UPON** the African Members of the UN Security Council to speak with one voice in the selection process at the level of the UN Security Council;
5. **REITERATE** our commitment to further strengthen cooperation between the African Union and the United Nations and work in close collaboration with the next UN Secretary-General in promoting Africa's priorities within the United Nations.



# Draft Decisions, Declarations and Resolution

## African Union

African Union

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