

AFRICAN UNION

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**EXECUTIVE COUNCIL  
Fifth Ordinary Session  
25 June – 3 July 2004  
Addis Ababa, Ethiopia**

**EX.CL/104 (V)**

**REPORT OF THE AU COMMISSION FOR THE PERIOD  
FROM MARCH TO JUNE 2004**

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## FOREWORD

The convening of two of the most important Policy Organs of the African Union in Addis Ababa, Ethiopia, in July 2004, is significant in a number of ways, two of which deserve to be highlighted; one is symbolic the other; substantive.

This year, the Assembly of the Union returns to the Headquarters of the Union in its Ordinary Session after a period of nine years. Indeed, you will all recall that the last time the Headquarters was privileged to host the continent's Leaders was in 1995. Since then, many African Capitals have played host to several Summits, the last being Maputo, Mozambique. The Commission celebrates the return of the Assembly to Addis Ababa. We take special pride in playing host to and welcoming our Leaders "Home". The symbolism of this Session and its venue is not lost on us, which is why my colleagues and I in the Commission and the rest of the Staff join hands in welcoming the Leaders, their delegations and our invited guests to these Sessions of our Policy Organs. We look forward with great expectation, to a successful meeting of the Leaders and pledge to do our utmost to work towards the attainment of this objective.

The other reason why this Session is significant, relates to the substantive work programme that is being presented to Council and the Assembly. The Agenda, the nature and quality of the discourse, and the anticipated outcomes of these Meetings, make them historic in our view.

In Maputo last year, when the Leaders decided to entrust upon me and my colleagues, the multifaceted tasks of nurturing our Union, especially the Commission, to its full operationalization and potentials, neither they nor those of us upon which the responsibility fell, were under any illusion about the nature or even the enormity of the challenges ahead of us. One thing was certain, the driving force that propelled and strengthened us in our resolve to fully assume our onerous responsibility was the political will of our Leaders and people, and our dogged determination not to let them down, in spite of all the odds.

As I indicated during the last Session of Council in March this year, immediately after our assumption of office, we proceeded to the implementation of the decisions taken in Maputo, even though the full Commission was not yet in place. I am happy to report that with the election in March 2004, by the Council of Dr. Nagia Mohammed Assayed and Dr. M.M. Mkwezalamba, as Commissioner for Human Resources, Science and Technology; and Economic Affairs respectively, the Commission is now fully constituted.

Since the last Session of Council, we focused our attention on and prioritised the elaboration of the Strategic Plan of the Commission, as being at the heart of our Mission to bring about a paradigm shift in the way that the Union conducts its business. The outcome is reflected in the following three volumes:

- a) The Vision and Mission of the African Union
- b) The 2004-2007 Strategic Framework of the Commission of the African Union

- c) The 2004-2007 Plan of Action: Programmes to speed up the Integration of the Continent.

These will be the subject of special presentation to the Executive Council and the Assembly. The underlying philosophy behind this special initiative is the imperative of clear targeted and focused action. My colleagues and I believe quite strongly, that our Union and Continent, must move quickly – more quickly than other Institutions and Continents did.

Our resources are less, our States and Institutions still fragile, and our problems greater than those of the rest of the World. In addition, the rest of the World and Organizations with which we have to live and cooperate, are changing with unbelievable speed. These changes will inevitably make our problems greater and the actual resources available to us and our initiatives, even smaller.

It was also within the foregoing context that all efforts within the Commission were focused on the efficient and effective implementation of the decision of Council and the Assembly. I hope that Council will be reassured that even while extensive consultations, internally and externally, were targeted at the completion of the Strategic Framework, the Commission did not lose sight of the other priorities and decisions that were adopted for implementation. This Report provides an insight into some aspects of the work of the Commission. It only highlights activities and initiatives that are not covered by other Reports to this Session.

In presenting this Report to the Council and the Assembly, it would be remiss of me not to acknowledge and express appreciation, for the strong and inspiring support that I personally and the Commission as a whole, received from the outgoing Chairperson of the Union President Joaquim Alberto Chissano at Mozambique, other Heads of State and Government, Ministers and Representatives of AU Member States, during the period following the Summit in Maputo.

We are also deeply appreciative and welcome the support and goodwill that have been extended to us by our international partners. In response, we wish to reaffirm that our Commission is eager and ready to take up the responsibility that has been assigned to us, in the full knowledge that we shall be helping our governments and people, overcome the challenges that confront our Continent, especially those from within. We also believe that apart from building partnership with ourselves in Africa, we need to forge international partnerships with the outside World, consistent with the philosophy of NEPAD and the dictates of our increasingly inter-dependent World. Our approach is comprehensive and as this Report clearly reflects, our areas of coverage range from the political, peace and security issues to socio-economic and cultural, and institution building.

The Peace and Security Council is now fully operational, the Pan African Parliament has taken its place as an important Organ of the AU and a forum through which our people will articulate their demands to the Union. The Economic, Social and Cultural Council (ECOSOCC) is next in line, to make the African Union, truly, a Union of peoples, not just governments. With the Court of Justice and the Financial Institutions soon to be operationalized, the AU would be firmly in a position to provide responsible and decisive leadership for the Continent and its people. Talking about people, it has been gratifying to witness the work-in-progress on the integration of the

civil society, both within the Continent and in the diaspora into the priority work programme of the African Union. We look forward to the prospect of unifying our efforts in the service of our peoples, through working with our Civil Society Organizations.

We have surely come a long way. As we focus on issues such as the global trade negotiations in the WTO; external indebtedness; infrastructure and energy; gender mainstreaming; human resource development; capacity building and the African Peer Review Mechanism, within the framework of our NEPAD programme, we know that Africa is finally coming of age.

We in the Commission are committed to carrying out and seeing these initiatives through. We are confident that we shall ultimately succeed in bequeathing our Continent with a Union that reflects its aspirations and is responsive to the many challenges that confront it.

**ALPHA OMAR KONARE**  
**CHAIRPERSON**

## 1. FINANCIAL MATTERS

1. A Group of fifteen (15) Experts from Member States met from 3 to 5 May 2004 pursuant to Decision EX.CL/Dec.77 (IV). Following consideration of the Report (Document EX.CL/24(III)) on Alternative Sources of Funding the African Union adopted by the 3<sup>rd</sup> Ordinary Session of the Executive Council held in Maputo in July 2003, the Group of Experts came up with the following recommendations:

- a) a Union levy of 0.5% applied on 88% of the CIF (cost, insurance, freight) value of merchandise imports from non-African Union countries. This surcharge would generate US\$600 million annually. However, to take full advantage thereof, it is needful to pursue regional integration and make it a tangible reality;
- b) Value Added Tax (VAT): this offers the greatest opportunity for mobilizing financial resources. Effective utilization of this mode, requires prior fiscal harmonization among Member States and adoption of the VAT in their budgetary revenue structure;
- c) A Union levy of a percentage of the national budgets of Member States. The success of this levy will depend on the political will of Member States to cede to the Union, a part of the financial resources they use in funding sovereignty expenditure.

2. By Decision EX.CL/Dec.76(IV), Council requested to Commission to make the necessary adjustments to the Scale of Contributions adopted in Maputo, and to submit these adjustments for consideration by an *Ad Hoc* Ministerial Committee which will present a report thereon to the 5<sup>th</sup> Ordinary Session of the Executive Council.

3. To this end, the Commission enlisted the services of a United Nations Expert to carry out the requisite re-adjustments. Clearly, the resultant re-adjusted Scale of Contributions will not satisfy everyone. However, Member States should demonstrate their commitment to the Union by accepting the re-adjusted Scale of Contributions as it takes into account their respective socio-economic realities.

### **Internal Audit**

4. The Commission continues to be engaged in an appraisal function to examine and evaluate the activities of the AU internal auditing system, to ensure greater transparency and accountability.

5. It is observed from the Commission's audit activities, that the internal control and accounting system is subject to improvement. In addition, in some cases proper budgeting, expenditure control and monitoring systems need be put in place. This is all the more necessary when it is realized that such audits have helped the Commission in identifying areas of weakness for early remedial actions. This will ensure that the Commission's internal control systems are more effective. The existence of an effective internal audit promotes good governance and transparent management. It also improves the image of the Commission in its relationship with partners.

## **2. ADMINISTRATION AND HUMAN RESOURCE DEVELOPMENT**

6. During the period under review, the Directorate of Administration and Human Resource Development was required to carry out a total of sixteen (16) studies/activities relating to the newly approved "Conditions of Service" for the AU Commission as approved during the Maputo Summit of July 2003 and contained in Decision Assmble/AU/Dec.22.

7. The current structure of the African Union Commission is composed of seven hundred and fifty six (756) positions in accordance with the Maputo Decision. It is to be noted that as of 15 June 2004, a total of eighty-seven (87) posts have been advertised. The continuation of the posting of job announcements as well as the recruitment process of staff so as to alleviate the problem of very low staffing levels that has drastically increased the workload of the staff and caused loss of morale in the Commission is being treated as a matter of urgency.

8. From September 2003 to 15 June 2004, 111 Short-term personnel including Consultants/Experts (31) and other general services Staff (80) were recruited on a short-term basis to assist the Commission while recruitment and appointments for various advertised posts were processed.

### **Recruitment of staff**

9. During the PRC meeting of April 2004, the Terms of Reference (TOR) for the Independent Human Resources selection Team was approved. Subsequently a Team of Consultants was recruited. It is to be noted that this Team of consultants had been pre-occupied with the selection and recruitment for the posts of Directors, Heads of Representational, Regional, Specialised, Scientific and Technical Offices as well as the Heads of the various Units and Divisions within the Organisation during the first phase of its work.

### **Pension Plan**

10. The Commission has been exploring the possibilities of the AU Pension system being harmonised with the United Nations Joint Staff Pension Fund (UNJSPF) Pension Plan. One of the major challenges that need to be addressed relates to the fact that the salary scales of the UN are different from those adopted by the AU Policy Organs. However, in the event that these proposals are favourably considered, AU Pension system being proposed could be worked out on a pro-rata basis.

### **Medical Scheme**

11. The Commission is in contact with Van Breda International, an Insurance Firm and consultations are on-going so that the same Medical Insurance facilities and modalities used by International Organisations are extended to the staff and dependents of the AU Commission under the same conditions. It is to be noted that, this Medical Insurance Firm is used by the UN and the ADB among other International Organisations.

### **Education Allowance for locally recruited staff**

12. The Commission with the help of its Regional and Specialised Offices obtained the various data on the cost of Education and the data would be reviewed for finalisation and submission to the appropriate organs of the Commission for consideration.

### **3. CAPACITY BUILDING**

13. The Commission has accorded high priority to capacity building.

14. The Work Programme of the Commission in the area of capacity building covers, *inter alia*, recruitment of new staff with requisite skills, the enhancement of skills through targeted training, institutions building and transformation. The AU Commission is committed to the creation of a new and more efficient culture of doing things. In this regard, a systems and methods work plan for institutional transformation of the Commission is under development.

15. The Commission is also committed to enhancing the capacity of the Regional Economic Communities (RECs) to serve as effective and strong building blocks of the AU. Within the constraints of available resources, the Commission is currently providing technical and financial support to the RECs in the implementation of their regional integration programmes. In the medium term, the Commission intends to put more emphasis on this element of its capacity building work programme.

16. Another activity that has received the urgent attention of the Commission is the building of the capacity of African countries and regions to engage in multilateral negotiations. Article 3(i) of the Constitutive Act requires the Union to establish the necessary conditions which will enable Africa to play its rightful role in the global economy and in international negotiations. In pursuance of this objective, the AU Commission has established a Panel of African Experts and put in place mechanisms to assist African countries/regions in building their negotiating capacities and to ensure that Africa has a common position and speaks with one voice in key international trade negotiations and economic cooperation arrangements.

17. In this endeavour, the Commission has benefited from the technical and financial support of many partners. These include the UNDP, EU, ACBF, ECA, UNCTAD and GTZ. The Commission wishes to express its gratitude to these partners.

### **4. Input of the PSDPEACE AND SECURITY**

#### **I. Activities Relating to Conflict Situations**

18. As the various conflict situations in the Continent have already been consigned to a specific report, only a brief overview will be presented. It should be said, by way of introduction that remarkable progress has been achieved in the resolution of many of the crisis situations, as was the case in The Comoros, Burundi, The Sudan and in Somalia where the signs have been encouraging.

19. However, difficulties have continued to be faced in the implementation of the Ethiopia/Eritrea peace process. During the period under review, no progress was made regarding the demarcation of the border between the two countries and normalization of relations. Similarly, the on-going transition process in the DRC has been characterized by difficulties as evidenced by recent events in Bukavu.

20. One of the most serious crises faced by the Continent is related to the situation in Darfur in Western Sudan which is currently experiencing the most catastrophic humanitarian situation ever known. The Peace and Security Council and also the United Nations Security Council have, many a time, expressed serious concern and underscored the absolute need to respect not only human rights and the international humanitarian law, but also to protect the civilian populations that have been hard hit by the conflict. As a matter of fact, the crisis in Darfur has come to be seen as a test for the African Union. It is in this context that we must situate the efforts being deployed by the Commission to ensure respect for the humanitarian ceasefire agreement of 8 April 2004 and to find a comprehensive political solution to the crisis. While a lot of progress has been made in this direction, a lot more remains to be done.

21. In general terms, the Commission has, since the last Session of the Executive Council, continued to invest sustained effort to promote peace and security in the Continent. African Union's presence on the ground has been the focus of attention. Thus, decisions have been taken to open AU offices in Nairobi with the objective of backstopping the preparatory process of the International Conference on the Great Lakes Region; and in Morovia, with a view to more effectively support the peace process in Liberia. Deployment of a Military Observer Mission in Darfur is underway in pursuance of the humanitarian ceasefire agreement of 8 April 2004. It is also noteworthy that the African Mission in Burundi has been replaced by the United Nations Operation, and that the deployment of the Observer Mission in The Comoros which began in March 2004 has now been completed.

22. The following paragraphs present a succinct account of developments in the various conflict situations in the Continent.

**a) The Comoros**

23. In The Comoros, tremendous progress has been made since the signing of the 20 December 2003 Agreement on Transitional Arrangements in the Archipelago. The electoral process has been successfully concluded with the voting which took place in March and April 2004 at which Members of both the Union Assembly and the Island Assemblies were elected. As a matter of fact, the only institution that remains to be established is the Constitutional Court which, among other things, has the responsibility to ensure the constitutionality of laws and arbitrate conflict of power between the Union and the autonomous Islands.

24. The overall situation remains extremely fragile. There is therefore the imperative need for the parties to demonstrate the spirit of responsibility towards the functioning of the Union Institutions and to scrupulously dedicate themselves to the commitments made. Equally crucial is the need for strict management of the meagre resources of the Archipelago, failing which it would be difficult to mobilize the international assistance so

much needed by The Comoros. AU's future action will have to focus on this dual objective.

**b) Somalia**

25. The Somalia National Reconciliation Conference, ~~which opened in Eldoret in October 2002, and re-located subsequently to Mbagathi, near Nairobi, in February 2003,~~ has yet to produce the expected outcome, after more than eighteen months of deliberations. The Conference has now entered into the final Phase III, which is expected to culminate in the formation of a new Government for Somalia, at the end of July 2004, and the adoption of a transitional programme.

26. Several factors ~~have~~ hampered ~~the~~ progress ~~of~~ the reconciliation process, ~~especially~~ at the early stages. These include the fact that, from the outset, the Conference ~~received~~ ~~involved~~ multifarious political entities; ~~including the existence of~~ many self-declared regional and local political and administrative entities, all claiming power and economic control in their areas; the tendency of the Somali factions and groups to rely on their military ~~postures~~ ~~strengths~~ to achieve their objectives; and the serious financial constraints facing the Conference. The lack of cohesion among the IGAD Frontline States, ~~who~~ ~~which~~ composed the Technical Committee that managed the Conference until the advent of the Facilitation Committee (FC), in October 2003, also undermined ~~the~~ progress. However, the 5<sup>th</sup> and 6<sup>th</sup> IGAD Ministerial Facilitation Committee meetings, held on 6 and 22 May 2004, respectively, in Nairobi, ~~have~~ made a significant headway in fostering cohesion.

27. Since the ~~start~~ ~~commencement~~ of the Reconciliation Conference, the Commission has played a critical role in support of the IGAD-led efforts. In particular, the AU is expected to deploy a monitoring ~~M~~mechanism to ensure compliance with the ~~cessation of hostilities~~ Comprehensive Ceasefire Agreement to be signed in due course by the Somali leaders. — ~~a~~ A number of preparatory steps have been taken to that ~~end~~effect. The Commission is also planning to put in place a ~~m~~Mmechanism to monitor the implementation of the UN arms embargo on Somalia.

**c) Ethiopia - Eritrea**

~~13.~~28. Relations between Ethiopia and Eritrea remain stable, despite the difficulties being experienced regarding the demarcation of the border, following the ruling of the Eritrea-Ethiopia Boundary Commission (EEBC), in April 2002. Council will recall that, in September 2003, Ethiopia formally rejected the EEBC delimitation decision on Badme and part of the central sector, as being “totally illegal, unjust and irresponsible”. Ethiopia further suggested the establishment of an alternative mechanism, including dialogue between the parties, in order to rescue the process. On its part, Eritrea called for the scrupulous implementation of the EEBC decision, in line with the commitments entered into by the parties in the Algiers Agreements, and rejected any idea of an alternative mechanism.

29. Since the last session of Council, and in spite of the efforts by the international community, including the United Nations, the European Union and the African Union, to end the stalemate in the peace process, no progress has been made, as the parties'

positions remain irreconcilable. The situation is at its highest level of tension ever since the announcement of the EEBC delimitation decision, in April 2003.

30. Given the forgoing there is need to proactively assist the two parties to overcome the current impasse in order to commence the border demarcation exercise and work towards the normalization of their relations. In the meantime, no effort should be spared to prevent the present tension from degenerating into a violent conflict.

#### d) The Sudan

##### Negotiations between the Government of the Sudan (GoS) and the SPLM/A

~~14.31. In the Sudan as yet, no peace process, efforts are underway to conclude and sign a Comprehensive Peace Agreement. T has been signed, although the Government of the Sudan and the SPLM/A have already already signed a series of partial Agreements and Protocols on wealth sharing, security arrangements and power sharing, as well as on the three disputed areas of Abyei, Nuba Mountains and Southern Blue Nile, for the six-year interim period as provided for in the Machakos Protocol. On 5 June 2004, the Sudanese Parties met in Nairobi, where they signed the "Nairobi Declaration on the Final Phase of Peace in The Sudan". By this Declaration, the Parties agreed that all issues relating to the Sudan conflict have been resolved, except the modalities of implementing the permanent ceasefire agreement and the comprehensive peace agreement, and regional and international guarantees. On 22 June 2004, the Parties will resume negotiations on these remaining issues in Naivasha. Negotiations are still continuing in Naivasha, Kenya, between the two parties, to resolve the few outstanding issues.~~

~~32. Clearly, never in the history of this longest running conflict in Africa, has the conclusion of a comprehensive peace Agreement been so to end the long running conflict is closer to becoming a reality than at any other time in the past. Council may wish to welcome and encourage this progress. The challenges of post conflict reconstruction in The Sudan will need to be addressed in a comprehensive manner by the Union, through the Ministerial Committee that was established in Maputo for this purpose.~~

##### Situation in Darfur

~~15.33. While tremendous progress is being made on the conflict in Southern Sudan, the grave humanitarian crisis in the Darfur region, in western Sudan, remains a major source of concern for the Union and the international community at large. Aside from the underlying struggles for resources, such as land and water, as well as political discontent among the local communities, the current crisis largely stemmed from the activities of armed groups and militias, the most notorious of which goes by the name of the Janjaweed. This group militia, which launched a campaign of attacks and destruction against the civilian population in the region. This situation has resulted in large-scale displacement of the local population and reported human rights abuses.~~

~~16.34. Against this background, sustained efforts have been were made to address the humanitarian tragedy that had been unfolding in Darfur in order to ensure that effective measures are taken to protect the civilian population and avert a further deterioration of~~

the ~~humanitarian~~ situation. On 8 April 2004, a Humanitarian Ceasefire Agreement, negotiated under the mediation of Chad and with the support of the Commission and other members of the international community, was signed by the Government of the Sudan (GoS), on the one hand, the Justice and Equality Movement (JEM) and the Sudan Liberation Movement/Army (SLM/A), on the other. The Agreement provides, among others, for a ceasefire and the establishment of a Joint Commission and a Ceasefire Commission, as well as the facilitation of the delivery of humanitarian assistance and the creation of conditions conducive to the delivery of emergency relief. The parties also agreed to meet at a later stage to negotiate a eComprehensive Agreement on the problems in Darfur global and definitive settlement.

35. As a follow-up to the Agreement and the decision taken by the AU Peace and Security Council on 13 April 2004, a 10-member AU-led Reconnaissance Mission was dispatched to the Sudan and Chad, from 7 to 16 May 2004. The Mission ~~comprised also~~ included representatives from the UN, the European Union, Chad, France, and the USA. Based on the outcome of this Mission, the PSC meeting of 25 May 2004 authorized the Commission to take all the necessary steps to ensure an effective monitoring of the Humanitarian Ceasefire Agreement. Subsequently, on 28 May 2004, at the AU Headquarters, the Sudanese parties signed an Agreement on the Modalities for the Establishment of the Ceasefire Commission and the Deployment of Observers in Darfur. At the time of finalizing this report, ~~preparations were underway for the deployment of the first batch of AU Observers to Darfur~~ were on the ground in Khartoum and in Darfur itself.

36. There is need to continue to urge the Pparties in the Sudan to scrupulously abide by the commitments they took under the Ceasefire Agreement. Council may also wish to appeal to the international community to deploy more efforts to extend urgently needed humanitarian assistance to the refugees and internally displaced persons affected by the conflict. In this respect, Council should echo the call made during the High Level Donor Alert Meeting in Darfur that took place in Geneva, on 3 June 2004, for all remaining constraints and restrictions for humanitarian personnel, supplies, equipment and aircraft to be immediately lifted, and for humanitarian personnel to have full and unimpeded access.

#### e) **Burundi**

37. With almost five months to the end of the transition period as stipulated in the 28 August 2000 Arusha Agreement for Peace and Reconciliation in Burundi, there has been continued encouraging progress in the peace process. In fact, implementation of this Agreement, as well as the resultant Ceasefire Agreements towards which the African Mission in Burundi made invaluable contribution, paved the way for defusing the political climate and restoring security in 16 of 17 provinces in the country. Virtually all the armed political movements and now represented in the transition institutions. It is against this background that the United Nations Security Council adopted a Resolution authorizing the deployment of United Nations Peace Keeping Operation in Burundi with effect from 1 June 2004.

38. Three vital issues have continued to dominate attention. These are the question of election for which debate has reached an advanced stage, without the parties arriving at a consensus on the date of the exercise; the process of disarming and reintegrating the combatants for which preparations have also reached an advanced stage, but which

cannot be effectively implemented unless pledges of financing by the international community become a reality; and the issue relating to PALIPEHUTU-FNL, the only armed movement that has still not joined in the peace process.

39. With regard in particular to elections, the Burundi political class are deeply divided between those advocating the holding of the elections at the end of the transition period (October 2004) and those in favour of postponement. It should be noted that, having the elections at the end of the transition presupposes the resolution of numerous issues, and this must be done within next five months, namely: updating the electoral register, establishing an independent electoral commission, finalizing the basic laws, that is, the constitution, the common law and the electoral law. All eyes are currently turned to the Mediator Jacob Zuma who was mandated by the 21<sup>st</sup> Regional Summit held in Dar-es-Salaam on 5 June 2004 to assist the Transition Government of Burundi and the Burundi parties to, as quickly as possible, reach a compromise on the issues relating to power sharing. For its part, the Commission will continue to support on-going efforts aimed at assisting the people of Burundi in arriving at a consensus which takes on board the concerns of everyone and promotes the chances of lasting reconciliation in the country.

**f) Democratic Republic of Congo (DRC)**

40. After the initial difficulties faced in the implementation of the comprehensive and inclusive agreement adopted by the parties at the Inter-Congolese Dialogue in Pretoria in December 2002, the peace process in the DRC gathered considerable momentum between June and December 2003. However, since January 2004, several events have contributed to slowing down this pace of development.

41. For instance, this period witnessed the events that occurred in the night of 27 – 28 March 2004 leading to renewed tension between the DRC and Rwanda, with the worsening security and humanitarian situation in the two Kivus, Katanga and in the Ituri region. This situation was compounded by clashes towards the end of May 2004 between the Government forces and dissident groups, thereby confirming the fragility of the peace process in the DRC.

42. Encouraging developments were however noted in recent weeks. These include the publication of a road map for the transition; consultation between the Government and the armed groups in the Ituri region, and the appointment of Provincial Governors and Deputy Governors which marked a crucial stage in the re-establishment of state authority.

43. Clearly, the difficulties facing the transition process have to do with the lack of trust and confidence among the various stakeholders, the uncertainties surrounding the outcome of the election supposed to crown the transition, and the impact of the election on the future of these stakeholders. The peace process is also being hampered by the non-integration of the armed groups in the Ituri region into the transition institutions, and the difficult relations between the DRC and Rwanda.

**g) Central African Republic (CAR)**

44. The overall situation in the CAR remains a source of concern. The political consensus which had so far prevailed between General François Bozizé who came to

power in the coup d'état of 15 March 2003, several political parties and the major labour unions, has been broken. These parties accused General Bozizé of single-handedly managing the transition. They also seriously criticised the new text establishing the joint independent electoral commission and the decree appointing 31 members of this commission, which they saw as failing to ensure the independence of the joint independent electoral commission. Moreover, the economic situation has remained very difficult while the insecurity problem is far from resolved.

45. Regarding political transition, it is recalled that the 9<sup>th</sup> Meeting of the Peace and Security Council held in Addis Ababa on 25 May 2004, underscored the need for all the concerned players, including General Bozizé – in light of the statement that he made in Libreville on 25 April 2003 – to create the necessary conditions for genuine return to constitutional legality through free and transparent elections. It is further recalled that, in that statement, General Bozizé had indicated that he would not present himself for the presidential election to be organized at the end of the transition.

46. One of the major difficulties facing the Commission is the absence of a common approach to the problem of the Central African Republic between the AU and the countries of the Region. As a matter of fact, the authorities of the country had received contradictory signals which no doubt made it more difficult to find a lasting solution to the crisis in the country. Efforts should therefore be intensified to enhance coordination of action between the AU and the Region.

#### **h) International Conference on the Great Lakes Region**

47. At the 4<sup>th</sup> Ordinary Session of the Executive Council held in Addis Ababa on 15 – 16 March 2004, I gave an account of the preparatory process of the International Conference on the Great Lakes Region as well as AU's role in the process within the context of partnership with the United Nations. The Commission has since continued to actively support this preparatory process.

48. In this connection, the Commission hosted in Addis Ababa on 10 March 2004 the 2<sup>nd</sup> Meeting of the Regional Economic Communities (RECs) enlarged to include National Coordinators. That Meeting was co-chaired by the African Union and the United Nations. Also in attendance were the representatives of ADB, the NEPAD Secretariat, the IOF, MONUC, the ECA, the Ambassadors of AU Troïka, as well as the Embassies of Canada and The Netherlands in their capacity as co-chair of the Group of Friends of the Great Lakes Region. The Meeting decided to integrate the six RECs of the Region into the process of the Conference.

49. The AU also participated in the 2<sup>nd</sup> Meeting of the Group of Friends of the Great Lakes Region which took place in The Hague on 12 March 2004. That Meeting established financing mechanisms for the projects and programmes of the preparatory process.

50. On 11 May 2004, I received in audience Mr. Ibrahima Fall Special Representative of the United Nations Secretary General for the Great Lakes Region who called to give an account of his recent visits to President Denis Sassou Nguesso of Congo, President Eduardo dos Santos of Angola and President Joseph Kabila of the Democratic Republic of Congo.

51. The AU similarly participated in the special meeting of National Coordinators held in Nairobi on 20 May 2004. The two co-chair of the Group of Friends of the Region were also in attendance. The Meeting, among other things, discussed issues concerning the preparatory process, the status of preparation in each of the seven so-called "field" countries, as well as matters relating to funding the various activities on the programme of the preparatory process.

52. Lastly, at the request of the Government of the United Republic of Tanzania, I fielded an inter-departmental mission to Dar-es-Salaam from 28 to 30 May 2004. The objective was to assist the authorities of that country in assessing the financial costs and the technical implications of organizing of the 1<sup>st</sup> Summit of the process of the Conference scheduled to take place in November 2004.

53. To enable the Commission to more effectively discharge the role expected of it, I have initiated necessary consultations to open, in Nairobi, an African Union Liaison Office for the Great Lakes Region pursuant to the Decision of the Peace and Security Council held in Addis Ababa on 13 April 2003. The Office, when opened, will enable the Commission to maintain permanent contact with the Office of the Special Representative of the United Nations Secretary General, and to work more actively with the national and regional stakeholders as well as with the international partners.

54. It is appropriate to express satisfaction at the remarkable progress so far achieved in the preparatory process of the International Conference on the Great Lakes Region, progress made possible thanks to the commitment of the countries of the Region and the active partnership between the United Nations and the African Union. Equally gratifying is the invaluable assistance of the international community. Council may wish, in this connection, to express its appreciation to Canada and The Netherlands for the vanguard role they have played in their capacity as co-chair of the Group of Friends of the Great Lakes Regions.

**i) Liberia**

55. In Liberia, notwithstanding some problems, significant progress has been made in the implementation of the Comprehensive Peace Agreement (CPA) of 18 August 2003. The various institutions which are provided for in the CPA have, by and large, been established. There is also a general compliance with the Ceasefire Agreement by all the parties. Furthermore, the Disarmament, Demobilization and Reintegration (DDR) process, after the initial difficulties encountered to disarm former combatants, has been going on well since it was re-launched in mid-April 2004.

56. In view of the headway being made in the peace process, it is important that members of the international community, who pledged contributions at the February 2004 International Conference on the Reconstruction of Liberia, honour their commitments, as expeditiously as possible. Indeed, a more sustained support by the international community can only enhance the prospects for lasting peace and stability in Liberia.

**j) Côte d'Ivoire**

57. The encouraging progress made in the peace process in Côte d'Ivoire has, for almost three months, be interrupted by a succession of incidents, the most remarkable of which was the repression of the demonstration planned by the G7 – a coalition of four political parties and three former rebel movements – in Abidjan on 25 March 2004, and the continued demonstration on 26 and 27 March 2004. The G7 suspended its participation in the National Reconciliation Government, an action which led to the failure of the disarmament operation which was to take place in Yamoussoukro on 10 March 2004.

58. It was against this background that the Head of State of Côte d'Ivoire imposed sanction against the G7 Ministers, and promulgated a decree dismissing three of the Ministers including the Secretary General of the New Forces.

59. The Peace and Security Council meeting on 25 May 2004 called for full and unconditional implementation of the Linas-Marcoussis Agreement, and asked the Commission to take the most appropriate measures to assist the Ivorian parties in overcoming the present stalemate. At the time of finalizing this Report, the Commission was focussing on implementation of the Communiqué of the Peace and Security Council by setting in motion an initiative intended to defuse the current impasse.

60. This state of affairs is the result of the total lack of trust and confidence among the Ivorian political players including the Head of the Executive. Any action intended to overcome the crisis must address this problem. At the same time, it is absolutely necessary for the members of the international community involved in the management of the crisis to ensure closer coordination of their efforts especially as the situation has become extremely complicated.

#### **k) Western Sahara**

~~38~~.61. During its last session, the Executive Council was apprised on the status of the peace process in Western Sahara, following the submission to the Parties of the latest Peace Plan by Mr. James Baker, the Personal Envoy of the UN Secretary-General on Western Sahara. As Council would recall, the latest initiative, known as "Peace Plan for the Self-Determination of the People of Western Sahara", includes a transitional period of up to five years of autonomous status, under Moroccan sovereignty, followed by a referendum based on ballot choices containing options for independence, integration with Morocco and autonomy, to determine the final status of the disputed territory.

~~39~~.62. The Peace Plan was accepted by the Frente POLISARIO, and Algeria, as one of the neighboring countries interested in the issue, offered support to the Plan. But, Morocco rejected the Plan as being unacceptable. Subsequently, the Security Council consented to giving Morocco more time for further reflection, in the hope that it would agree and implement the Peace Plan.

~~40~~.63. Morocco has since responded to the Security Council's request. However, its response does not demonstrate the flexibility that had been expected. In fact, its reaction even reveals a hardening position, as it not only rejects the option of independence, but also considers the transitional phase, as an interim arrangement preceding the referendum, unacceptable. In the same vein, Morocco has reaffirmed its position that only "an autonomy-based political solution can be final."

44.64. It has thus become evident that, during the period under review, there has not been a positive evolution in the peace process in Western Sahara. The UN Security Council was fully cognizant of this fact when it, again, chose to display cohesion within itself by unanimously adopting resolution 1541 and calling on the Parties to cooperate in the interest of resolving the dispute. It also extended the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO), until 31 October 2004, to provide the necessary time for the Parties to work with each other and the UN towards the eventual implementation of the Baker Peace Plan, while, at the same time, reiterating its support for the Peace Plan for the self-determination of the people of Western Sahara. In that connection, while reaffirming the support of the African Union to the Peace Plan, Council may wish to reiterate its appeal to all concerned to seize the opportunity again provided and work towards the resolution of the dispute over the Territory, so as to usher in an era not only of durable peace and security in the Maghreb, but also of effective cooperation towards the economic and social integration of the sub-region.

~~d)As Council is aware, the AU maintains a Mission in Western Sahara, under the authority of a Senior Representative, for the purpose of collaborating with MINURSO, in the search for a peaceful solution to the dispute over the territory. During the period under review, the Senior Representative, accompanied by two AU observers, had traveled to Tindouf on a working visit, to consult with the leadership of the Frente POLISARIO on the latest developments in the peace process. As there is a Permanent Moroccan Delegation Office in Laayoune, to coordinate with MINURSO, contacts to exchange information on the peace process have also continued with its representatives. Discussions and exchange of views have also been conducted, at the AU Office, with visiting Ambassadors as well as other dignitaries, diplomats and journalists, on the AU perspective regarding the dispute, as well as on the possible way forward in the search for a solution.~~

## II. Operationalization of the PSC Protocol

45.65. During the period under review, the Commission has continued to work towards the full operationalization of the PSC Protocol, in pursuance of the relevant decision adopted by the Assembly in Maputo, in July, last year. The following represents a summary on the status of these efforts.

### Signature and ratification

46.66. The PSC Protocol entered into force on 26 December 2003, after having been ratified by the simple majority of Member States, i.e. 27. ~~By~~As of the end of May 2004, 33 Member States had ratified the Protocol. More sustained efforts will be made to ensure that those Member States that have still not yet done so, will become parties to the Protocol as soon as possible, preferably by the end of 2004.

### **Election of the PSC Members and activities of this Organ**

~~47~~.67. Following the entry into force of the Protocol, the March Session of the Executive Council, in pursuance of the decision adopted by the Assembly in Maputo, adopted the Rules of Procedures of the Council and elected its members. Since then, the PSC, has held 10 meetings during which the following conflict situations were considered: Burundi, Comoros, Côte d'Ivoire, Democratic Republic of Congo (DRC), Liberia, Somalia and Sudan (Darfur), as well as the issue of the International Conference on the Great Lakes Region. The most noticeable development during the period under review was the solemn launching of the PSC, which took place in Addis Ababa, on 25 May 2004, at the level of Heads of State and Government, in the presence of the representatives of the other AU Member States and international Partners. On that occasion, the PSC adopted a Statement of Commitment, in which its members pledged, among other things, to fully assume the responsibilities entrusted to them, and a communiqué covering the conflict situations and peace processes obtaining on the continent. It should be indicated that three specific conflict situations were dealt with in a more comprehensive manner - specific way; these are the conflicts in Darfur, Somalia and Côte d'Ivoire. Following its operationalization, the focus of attention by the PSC, will now turn to the setting up of the bodies and initiatives, provided for in the Protocol. These include, the Panel of the Wise, the Continental Early Warning System, the African Standby Force and the Military Staff Committee and the elaboration of Memoranda of Understanding between the RECS and the AU, as directed by the Maputo Summit.

68. Although the requisite texts for the development of a continental peace and security architecture have been adopted, there are still numerous challenges to be overcome for the PSC to effectively play its role in the promotion of peace and security in Africa.

### **III. Common African Defense and Security Policy (CADSP)**

~~53~~.69. At the Durban Summit in July 2002, the Assembly stressed the need for a Common African Defense and Security Policy, in the context of the Constitutive Act of the African Union and the relevant provisions of the PSC Protocol. Subsequently, at their Extraordinary Session held in Sirte, Libya, towards the end of February 2004, the Heads of State and Government adopted the Solemn Declaration on the CADSP.

~~54~~.70. In this regard, it has been deemed necessary to elaborate an African Non-Aggression Pact. Council will recall that, at its Second Extraordinary Summit, held in Sirte, in February 2004, the Assembly adopted decision Ext/Assembly/AU/Dec. 2 (II) on the Non-Aggression and Common Defence Pact, in which it, *inter alia*, requested the "Chairperson of the Commission to convene a meeting of Government Experts to study three proposals (namely the Draft "Non-Aggression and Common Defence Pact" prepared by the Commission, the Draft "Pact Against Aggression and on Mutual Assistance of the African Union" prepared by the Republic of Congo, and the Draft "Treaty for a Common Defence and the Establishment of a United Army for the African Union" prepared by the Libyan Arab Jamahiriya) in depth and elaborate a single document for the consideration of the Assembly at its next ordinary session." In addition, the Assembly endorsed the offer by the Republic of Congo to host the meeting of Government Experts.

71. In follow up to that decision and in order to facilitate the work of the Experts, the Commission prepared a consolidated draft document on Non-Aggression and Common Defence, based on the three proposals.

72. The Government Experts had a lengthy exchange of views during their three-day deliberations in Brazzaville. The meeting decided to focus the substance of the draft Pact on issues relating to Non-Aggression; consequently, adopt a new title as follows: "African Union Non-Aggression Pact"; and use the draft consolidated document prepared by the AU Commission as the basis for discussion.

~~58.~~73. ~~I wish to inform Council~~It should be noted that the delegation of the Libyan Arab Jamahiriya entered a reservation regarding the decision of the meeting to modify the title of the Pact and to confine its substance exclusively to issues pertaining to non-aggression.

~~59.~~74. At the end of their deliberations, the Experts proposed a draft "African Union Non-Aggression Pact". Furthermore, the meeting, given the time constraints, agreed to reconvene in Addis Ababa to adopt the draft African Union Non-Aggression Pact before, the meeting of Ministers of Defence and Security.

#### **IV. Preparation of the 2nd Continental Meeting on Landmines**

~~60.~~75. At its Maputo Session, in July last year, the Executive Council adopted decision Ex/CL/Dec.41 (III) on the situation in Angola. In that decision, the Executive Council, *inter alia* ~~having~~ welcomed the proposal made by that country to convene a continental Conference on the problem of landmines and requested the Commission to facilitate the rapid organization of the said Conference.

~~64.~~76. The envisaged Conference should be situated within the context of the serious problem facing Angola in terms of landmines and unexploded ordinance (UXO). Angola is considered to be one of the most heavily mined countries in the world. There is the direct impact on innocent civilians, humanitarian workers, refugees and internally displaced persons, and physical reconstruction; there is also the indirect impact on medical and health services, transport and trade, and development.

77. The Luanda Conference should also be situated within the context of the international efforts to implement the Ottawa Convention. The most anticipated development in that respect will be the First Review Conference of the Convention, to be convened in Nairobi, from 29 November to 3 December 2004. The Conference, ~~which will bring together hundreds of participants, including world leaders, ministers, international organizations and NGOs,~~ will provide an opportunity ~~for~~ State Parties to report on the progress made in the implementation of the Convention.

78. As a follow-up to the decision adopted in Maputo, a team from the Commission ~~was~~ ~~dispatched~~ ~~a team~~ to Luanda, from 23 to 25 March 2004, to exchange views with the Angolan authorities. The Team held very fruitful discussions with the Angolan authorities. Among others it agreed that the Luanda Conference, scheduled for the end of September 2004, should aim at achieving the following objectives:

- a) review the socio-economic impact of landmines in Africa and in Angola in particular;
- b) sensitize the international community in order to mobilize additional resources for Angola and other affected African countries to address the problem of landmines;
- c) assess the level of implementation of the Kempton Park Plan of Action and the Ottawa Convention, with the view of mapping out a strategy for the future; and
- d) adopt a common African position that would inform Africa's participation in the Nairobi Review Conference.

~~67. The Commission will spare no efforts to ensure the success of the Conference. In the meantime, I would like, once again to appeal to the Member States that have not yet done so to take the required steps to become parties to the Convention. I should also like to stress the importance of the Review Conference to be held in Nairobi and the need for all Member States to be represented at the highest possible level at this Conference.~~

#### **V. Draft Protocol ~~to~~ on the AU Convention on the Prevention and Combating of Terrorism in Africa**

~~68.~~79. Council would recall its decision on the Draft Protocol to the AU Convention on the Prevention and Combating of Terrorism, adopted in Maputo during its 3<sup>rd</sup> ordinary session. In that decision, Council requested me to convene a meeting of Governmental Experts to review and finalize the draft Protocol. In follow up to that decision, the Commission convened a meeting of Government Experts and the Permanent Representatives Committee, in Addis Ababa, on 5 December 2003.

~~69.~~80. At its 4<sup>th</sup> ordinary session in Addis Ababa, the Council, once again, requested the Commission to take the necessary steps to convene a meeting of Governmental Experts to consider and finalize the Protocol, for adoption at its 5<sup>th</sup> ordinary session and by the 3<sup>rd</sup> ordinary session of the Assembly, in July 2004. At the time of finalizing this report, arrangements were underway to convene a meeting of Governmental Experts and the PRC to consider and finalize the draft Protocol on 15 and 16 June 2004. Furthermore, consultations are underway with Algeria, the host country, regarding the convening, in Algiers, of the meeting of the State Parties to the Convention on the Prevention and Combating of Terrorism to review progress towards the establishment of the Centre for the Study and Research on Terrorism.

81. While efforts are being made to strengthen the legal framework on terrorism, it is crucial that Member States take the steps required to implement the commitments already entered into. In this regard, the effective implementation of the Algiers Convention and Action Plan would go a long way in addressing the scourge of terrorism on the continent.

#### **VI. EU Peace Support Facility**

82. The Assembly of the Union meeting in Maputo in July 2003, requested the European Union (EU) to establish a Peace Support Facility to finance the peace support and peace keeping operations conducted under AU auspices, in order to strengthen the capacity of the Union to effectively discharge its role in the promotion of peace, security

and stability in Africa. The Assembly asked the AU Commission to establish contact with the European Commission with a view to developing the modalities and *modus operandi* of the Facility which should be sustainable and replenished each time it is deemed necessary.

83. In accordance with the Maputo Decision, the Facility is anchored on the principle of solidarity among African States. All African countries should indeed contribute to this Facility, including the ACP countries associated with the EU by the Partnership Agreement signed in Cotonou in June 2000 between Members of the Group of African, Caribbean and Pacific (ACP) countries on one hand, and the European Commission (EC) and its Member States on the other; as well as the Maghreb countries and South Africa associated with the EU by specific agreements. The Facility will be financed by the resources allocated to each Member State of the African Union under the existing cooperation agreement with the EU, supplemented in the first instance by an equivalent amount drawn from the non-allocated resources of the European Development Fund (EDF).

84. Soon after the Maputo Summit, measures were taken to establish this Facility. It is recalled, in this regard, that at its 21 July 2003 Session, the EU Council for General Matters and External Relations took note of the Maputo Decision and invited the European Commission to come up with proposals on the matter to enable it follow up accordingly. On 11 December, the ACP/EC Council of Ministers adopted a Decision authorizing the various operations needed to establish the Facility, and requested the European Commission to finance it. A total of 250 million Euros set aside for this Facility consisted of: 126.4 million Euros equivalent to 1.5% levy on the 9<sup>th</sup> EDF grant notified to the ACP countries in Africa; and the non-allocated 123.6 million Euros resource available in the long-term development budget reserve.

85. At the end of March 2004, the European Commission submitted the funding proposal to the EDF Committee which endorsed it. In this respect, it should be stressed that each operation to be financed from the Peace Facility will have to be initiated by the AU and/or the sub-regional organization concerned. As a general rule, when a sub-regional organization takes the initiative, this initiative shall have the political approval of the AU. Furthermore, the peace support operations to be funded by the Peace Facility should be consistent with UN principles and objectives. In this respect, endorsement in the broadest sense should be sought from the UN. While seeking UN endorsement, the process should however be flexible enough to go ahead with funding. Peace enforcement operations will require UN mandate.

86. In close consultation and co-operation with the AU Commission, the general responsibility for, and management of, the Peace Facility will be that of the European Commission. For overall monitoring of the Peace Facility, a Joint Coordination Committee is to be put in place that would meet twice yearly and review progress of implementation. The Committee would be chaired jointly by the AU and EU Commissions. Its members would include members of both the EU and AU Troika and African sub-regional organizations with a mandate in conflict prevention, management and resolution.

~~79.87. Council may wish to~~ ~~would like~~ to commend the EU, in particular ~~Commissioner~~ Commissioner Nielson, for the efforts made for the establishment of the

Peace Facility. This clearly marks a new step in the ever-closer relationship between Africa and Europe. ~~I am pleased to inform Council~~ It should be noted that the Commission has initiated a request to make use of the Peace Facility to fund the Observer Mission to be deployed in Darfur.

## VII. Middle East and Palestine

88. The situation in the Middle East and the occupied Palestinian territories remain a major pre-occupation due to the prevailing tension and the recurrence of incidents of violence. The continued occupation of Palestinian territories by Israel continues to block the path to peace in the region.

89. The spate of repeated Israeli raids on Palestinian refugee camps, destruction of property and the targeted assassinations of Palestinian personalities, have undermined efforts to restore peace and stability in the region. Likewise, violent reactions by sections of the Palestinian people, including the use of suicide bombing against both military and civilian targets in Israel, have fuelled the escalation of violence in the region.

90. Clearly, there is need of more sustained efforts to overcome the current deadlock and create conditions for the implementation of the roadmap.

## 5. POLITICAL MATTERS

91. It is the intention of the Commission to focus on the promotion of a culture of peace, inclusive participation of all segments of the society, building an African society on the foundations of democratic values, good governance and respect for the rule of law and human rights, including the right to development and respect for the international humanitarian law.

92. To this end, the AU Commission was able to mobilize with the European Union financial resources worth about 1.8 million Euros to finance a project for promotion of democracy, good governance and human rights. The Commission is currently focussing on implementation of this programme *in tandem* with on-going programmes on these same subjects as briefly set out in this Report.

### I. Strengthening the Democratization Process

93. The democratisation process continues to gather pace in our Member States. It is crucial to rekindle a new momentum in order to make more effective the Commission's contribution to this process and to the electoral process in Member States. This, in turn, will no doubt help prevent conflicts, since these processes when conducted in a climate of respect for law and the fundamental rights of the citizens certainly usher in peace and security for everyone.

94. The activities carried out under this subject covers three areas: election observation in Member States; meeting of Government Experts on elections; democracy, governance and participation in democracy related activities.

### **Election Observation in Member States**

95. The AU Commission was on ground during the elections in Guinea Bissau, Algeria, South Africa, The Comoros and Malawi.

96. Following the 14 September 2003 coup d'état in Guinea Bissau and the positive measures taken by the transition authorities, it became absolutely necessary to hold parliamentary elections in the country. Those elections indeed took place on 28 March 2003. There were some shortcomings in the organization whereby some voters, particularly in Bissau electoral district were unable to cast their ballot that very day. This generated protest movements which gave rise to much concern. The voters in Bissau were however able to discharge their civic duty on 30 March. The legislative elections was followed by presidential election. In view of the difficulties mentioned earlier on, this election was supposed to be organized with all the necessary professionalism under the supervision of international observers, particularly the African Union, which were expected to be present on ground weeks before the voting. The Commission will continue to bring its contribution to bear so as to facilitate the return to constitutional legality in that country. It is needful to mobilize adequate resources to backstop this process.

97. In Algeria, the presidential election of 8 April 2004 saw the participation of several candidates for the first time in the history of pluralistic Algeria. This was as a result not only of the more open political climate and the greatly improved security conditions, but also the conciliatory attitude of the leaders. The election took place in satisfactory conditions culminating in the re-election of President Abdelaziz Bouteflika.

98. In South Africa, the general election this year coincided with the 10<sup>th</sup> Anniversary of the advent of a democratic and multi-racial state. This means that the elections had special significance, demonstrating once again that the rainbow nation has resolutely turned over the pages of its dark history. Following this electoral process, President Thabo Mbeki was re-elected by parliament for a second term.

99. In The Comoros, the legislative elections of 18 and 25 April 2004 paved the way for the installation of the Union Assembly on 4 June 2004, thereby bringing to an end the political crisis that had gripped the country for several years.

100. The elections in Malawi were conducted in an atmosphere of serenity although a few incidents punctuated the exercise whose date had been postponed from 18 to 20 May 2004 by Court order following an opposition complaint. When the results were announced on 23 May, some clashes were reported in the economic capital Blantyre, a situation quickly brought under control by the security forces. Dr. Bingu wa Mutharika was declared elected President of the Republic of Malawi, thereby replacing the Out-going President Dr. Bakili Muluzi on 24 May at the expiry of his second and last tenure.

101. We are gradually approaching elections taking place in the coming months in many Member States: Burundi, Botswana, Cameroon, Niger, Tunisia, Guinea Bissau,

Namibia, Ghana, Mozambique, Liberia, Central African Republic and Democratic Republic of Congo.

102. Special attention has to be paid to some of these countries which are facing deep crisis. To this end, the electoral process in Burundi, Central African Republic, Democratic Republic of Congo and Liberia has to mobilize the concerted effort of the stakeholders and other partners so that they could be properly prepared and professionally managed by neutral and impartial electoral institutions thereby ensuring that they take place in a climate characterized by serenity and calm, and establishing the widest possible legitimacy in the eyes of the entire society.

103. Election observation is today a critical activity in the electoral process, reason for which it is crucial that all the necessary measures should be taken to observe the entire process – from voter registration to proclamation of results. To this end, the Commission has to make available commensurate financial, human and material resources to enable it to successfully carry out this mission. Similarly, the Commission should ensure that Member States comply with the provisions of the various legal instruments for the conduct of credible and transparent electoral process. It is also crucial for the Commission to set up a virile electoral unit to follow up on these highly important activities, and at the same time develop intensive exchange of best experience and practices through training programmes, seminars, etc. Member States should strengthen their capacities for electorate civic education as a way of getting the voters to discharge their electoral duty with a sense of responsibility.

#### **Meeting of Government Experts**

104. In pursuance of Decisions Assembly/AU/Dec.18(II) and EX/CL/Dec.31(III), the Commission convened a meeting of Government Experts to examine the documents emanating from the April 2003 Pretoria Conference, particularly the document on Guidelines for AU Election Observation and Monitoring missions, the document on the prospects for the establishment of an Electoral Assistance Fund and the Commission's document on Elections, Democracy and Governance, as well as the Pretoria Conference Communiqué. That Meeting which took place in the Headquarters of the Commission in Addis Ababa, Ethiopia, from 15 to 17 May 2004, examined the above mentioned documents and came up with the conclusions set out hereunder.

105. A detailed report will be submitted to the Council in a separate document. There is a need to adopt clear directives on AU observer and monitoring missions and for creation of an electoral assistance fund to be backstopped by clear-cut commitment on the part of Member States, thereby ensuring its rapid establishment. The Commission will, for its part, devote utmost attention to finalization of the feasibility studies on this fund which should become operational as early as possible. Following in the footsteps of the Commission, the meeting of Experts strongly recommended the formulation of a draft Charter on elections, democracy and governance – an instrument that will further strengthen the electoral and democratic processes in Africa.

#### **International Conference on Elections**

106. At the invitation of the National Electoral Commission of Rwanda, the AU Commission participated in the International Conference on Elections which took place in

Kigali from 7 to 9 June 2004. The meeting was massively attended by representatives of Member States' National Electoral Commissions, and helped to deepen on-going reflection on how best to make elections the credible foundation of the rule of law and democratic legitimacy. The AU Commission encourages such conferences for the reason that they facilitate highly enriching exchange of best experience and best practices among Member States.

## **II. Promotion of Good Governance**

107. It is for the African Union and its Commission a vital duty to support Member States in their fight against corruption and bad governance which, as we are all well aware, are at the root of the collapse of the State. Similarly, the Pan-African Parliament whose Inaugural Session took place on 18 March 2004, should play a leading role in this matter, in conformity with its set objectives.

### **Pan-African Parliament**

108. The Commission prepared and organized the launching ceremony of the Pan-African Parliament which took place under the Chair of H.E. Joaquim Alberto Chissano President of the Republic of Mozambique and Current Chairperson of the African Union.

109. Ms. Mongella Getrude Ibengwe of Tanzania was elected President of the Parliament at its Inaugural Session.

110. Immediately after the Inaugural Session, the Pan-African Parliament held its 1<sup>st</sup> Session at the Headquarters of the Commission, elected four Deputy President, constituted the Bureau, adopted regulations regarding formation of the Committees and rules governing debates, set up the Committees and held preliminary debate on its mission and prospects.

111. A detailed report on this subject will be submitted to Council for consideration. Now that the Pan-African Parliament has been launched, there is the need to provide it with adequate resources to make it operational as soon as possible. To this end, the President of the Parliament will submit for consideration by the competent organs, her draft budget for the second half of 2004 and the 2005 financial year.

### **The Fight Against Corruption**

112. Corruption constitutes a real scourge for our States and should be combated with every available means. To this end, the Pan-African Parliament, the Peer Review Mechanism and above all, the Convention on the Prevention and Combating of Corruption which our Heads of State adopted in Maputo in July 2003 by Decision Assembly/AU/Dec.27(III) are appropriate instruments for combating this scourge.

113. The Commission will devote utmost effort to ensure that the African Union makes its full contribution towards the fight against corruption. In this connection, it strongly appeals to all Member States which have not already done so, to sign and ratify the

Convention to enable it come into force as quickly as possible. So far, only 29 Member States have signed this instrument, and only one State – Union of The Comoros – has ratified it.

### **Ethnic Inequalities and Private Sector Governance**

114. At the invitation of the United Nations Research Institute for Social Development, the Government of Lithuania and UNDP, the Commission was represented at the International Conference on Ethnic Inequalities and Private Sector Governance which took place in Riga, Lithuania, from 25 to 27 March 2004. The Conference which brought together many researchers, senior officials of Government and of inter-Governmental and non-Governmental organizations debated the problem of inequalities in relation to various governance systems. It was recognized that the stability and security of countries depended very much on the way ethnic issues are managed. In the more specific context of Africa, it is vital to pay sustained attention to management of our ethnic diversities as these are clearly a critical source of the conflicts raging in our Continent. In this connection, the Commission hopes that the Conference on Constitutionalism which forms part of its programme of action will come up with the best ways and means to manage this vexed question within the ambit of the Constitution.

### **Integration of the Pan-African Conference of Public Service Ministers in the African Union**

115. The Pan-African Conference of Public Service Ministers was initiated by the Kingdom of Morocco which hosted the first two Sessions of the Conference in June 1994 and December 1998 respectively. The 3<sup>rd</sup> Session then followed in Windhoek, Namibia, in February 2001. The 4<sup>th</sup> and last Session was held in Stellenbosch, South Africa, in May 2003. At that last Session, the Conference adopted the Stellenbosch Declaration indicating, among other things, that the next Session should be held under African Union auspices. It also adopted an African governance and public service programme and called on its Chairperson to submit the text to NEPAD for inclusion in its comprehensive action programme, and to the African Union, for approval. The Assembly of the Union meeting in Maputo was presented with this initiative of Public Service Ministers and, in its Declaration Assembly/AU/Decl.8(II), recognised the linkage between the work of the Committee of Public Service Ministers and the NEPAD programme, and therefore directed that it be incorporated into the programme of the African Union.

116. Pursuant to these directives, the Commission carried out appropriate and sustained consultations with the Chair of the Conference of Public Service Ministers in cooperation with the NEPAD Secretariat. It also participated in the meeting of the Ministerial Committee which took place in Kampala, Uganda, on 29 January 2004. Following these consultations, the Commission was in February 2004, formally presented with a request of the Chair of the Conference for its Ministerial Committee to be accorded the status of Specialized Technical Committee by virtue of Article 14(2) of the Constitutive Act of the African Union.

117. The Commission is conscious of the fact that the reforms been advocated to enhance the Continent's future political and economic integration can be crystallized only through the highly critical input of the Public Services of our Member States. All our efforts should therefore focus on strengthening the Public Services through intense

exchange of best practices and best experience, and effective training and skills upgrading support instruments and mechanisms. This is the objective of the governance and public service programme formulated under the auspices of the Conference of Public Service Ministers which, already promises to attract financing from our external partners. This is the case with the European Union which has already approved, in principle, to raise 4 million Euros for the programme. As soon as Council gives its green light, we would work together with the Chair of the Conference of Public Service Ministers to speed up realization of the present and future commitments.

### **III. Respect for Human Rights and The Rule of Law**

118. The Commission has pursued its activities in the area of human rights promotion and protection in Africa. The major objective is to contribute to the capacity building of the various bodies and institutions working in this area, as well as to awareness building and advocacy campaign for the effective realization of human and peoples' rights. The Human Rights agenda of the African Union is clearly spelt out in the Grand-Baie (Mauritius) Declaration and Plan of Action of 1999 and in the Kigali Declaration of May 2003.

#### **Support to the African Commission on Human and Peoples' Rights (ACHPR)**

119. The Commission lent full support to the African Commission on Human and Peoples' Rights in its pursuit of the cardinal objective of human rights promotion, through the Secretariat headquartered in Banjul. In this connection, it is needful for the ACHPR to have greater visibility in order for its activities to make greater impact in Member States. After numerous consultations particularly at our meeting of 1 May 2004, we and Members of the ACHPR agreed on a joint programme likely backstop their human rights promotion activities in Member States, while at the same time focussing on improving the working condition and performance of the Commission. That Meeting in particular drew inspiration from the outcomes of the retreat of Members of the ACHPR held at the AU Headquarters in September 2003. It is recalled that the retreat underscored the importance of relations among State parties to the Charter, capacity building for processing and addressing complaints and communications from the parties, the structure of and relation with the other organs of the Union, including the African Peer Review Mechanism (APRM), and relations with the other African human rights institutions and international partners. In this regard, the African Commission on Human and Peoples' Rights has been invited to study the modalities of interacting with these structures and organs. Due to the increased volume of work that will be generated by this collaboration, the African Commission on Human and Peoples' Rights will undoubtedly need additional resources which we will endeavour to mobilise with the support of the Member States.

120. The Commission also actively participated in the work of the 35<sup>th</sup> Ordinary Session of the ACHPR which took place in Banjul, The Gambia, from 21 May to 4 June 2004. The Commission was represented at that meeting by the Commissioner for Political Affairs. Similarly, the Commission participated in a consultation meeting held in Uppsala, Sweden, from 7 to 9 June between the ACHPR and some of our partners with the objective of backstopping its human rights promotion and protection activities. The ACHPR will have the opportunity to report on its activities to the on-going Sessions of Council and the Summit.

### **The African Court of Human and Peoples' Rights**

121. It is recalled that the Protocol relating to the African Court of Human and Peoples' Rights adopted in Ouagadougou, Burkina Faso, in June 1998, entered into force on 25 January 2004 with the deposit of the requisite 15<sup>th</sup> Instrument of Ratification. Member States were accordingly asked to nominate candidates for the positions of Judge for the consideration of Council and the Assembly. Apart from these nominations, it is needful to find the necessary resources to operationalize this instrument of vital importance for human rights protection, an instrument which has already generated much hope amongst the citizens of Africa and all human rights advocacy organizations. The Court needs to have an appropriate headquarters, a budget commensurate with its missions and ambitions, appropriate working conditions and a conducive environment to discharge its functions. There is also the need to clarify the institutional relationship between the Court, the ACHPR and the future Court of Justice within the African Union system. The challenge for our Organization is to find the financial and human resources necessary for the effective functioning of this entire institutional architecture.

### **Popularising the Legal Instruments**

122. Popularisation of all the existing human rights instruments will also claim our special attention. In this connection, it should be noted that, despite the fact that the requisite 15<sup>th</sup> ratification has been obtained, the Protocol on the African Court of Human and Peoples' Rights calls for mobilization of the Member States that have not already done so, to ratify the Protocol so as to confer meaningful Continental dimension to the activities of the Court whose mission, among others, is to adjudicate in all cases of human rights violation in Africa. Additionally, the Commission regrets that, despite its efforts, the Protocol relating to the Rights of Women has so far been signed by only 30 Member States, with only one ratification. Furthermore, in light of the Kigali Declaration of May 2003, it is necessary to develop other instruments and mechanisms for effective protection of the rights of the most vulnerable groups such as HIV/AIDS infected people, old people, the disabled, etc. The Commission will work together with ACHPR to develop the necessary instruments and mechanisms for consideration by Member States.

123. In the same vein, special attention will have to be accorded to effective protection of women and children in situations of armed conflict. The Special Representative that will be appointed for protection of civilians in situations of armed conflict, will invest particular effort in this area. Appropriate measures should also be taken to defend human rights advocates, journalists in their search for press freedom, and African citizens in general in their quest for freedom of speech, freedom of association and right to participate in the process of decision-making and management of public affairs, in conformity with their constitutionally and legally recognized rights.

### **Cooperation with National Human Rights Institutions**

124. As a way of boosting the above efforts, the Commission intends to convene a Conference of National Human Rights Institutions in the last quarter of 2004 in order to exchange experience and best practices and map out specific strategies to improve their performance in human rights advocacy activities in their countries as well as ways and

means to enhance their mutual cooperation. We take this opportunity to appeal to Member States, as stipulated in the Grand-Baie (Mauritius) Declaration of 1999 and the Kigali Declaration of 2003, to work towards emergence of independent national human rights Commissions, where these do not already exist, as they could play a vanguard role in strengthening respect for human rights and in enhancing interaction between the African Peer Review Mechanism and the human rights institutions in close collaboration with ACHPR. The varied experience of civil society organizations will also be brought to bear on collaboration and interaction in this vital area.

#### **IV. Addressing Humanitarian Crisis and the Situation of Refugees, Returnees and Displaced Persons**

125. The humanitarian action of the Commission is underpinned by two major trends: the first is the tremendous progress achieved in a number of countries where peace initiatives have yielded positive results thereby paving the way for voluntary repatriation. The second trend concerns the persistence of conflicts despite positive political developments as is the case in Burundi and DRC. This state of affairs to some extent slows down repatriation operation and further enhances the phenomenon of permanent refugees. The systematic, repeated and increased violations of the international humanitarian law in the Continent have remained a source of serious concern.

##### ***Voluntary Repatriation***

126. The core challenge here, resides in the need to create more favourable security conditions, put in place adequate support measures and develop appropriate strategies to encourage sustained repatriation of returnees and ensure their effective reintegration in the society and active participation in the development of their countries. Many problems have arisen from implementation of this solution, such as the relatively limited financial assistance and, above all, the serious lack of adequate reception structures. The success of such endeavour depends on providing appropriate support to asylum countries whose infrastructure and, generally, economies have been ruined by long years of war.

##### ***Local Integration***

127. In an attempt to find a solution to the crucial problem of permanent refugees, some Member States like Zambia, Uganda and Tanzania have come up with local integration policies with some measure of success, the major challenge being to make the refugees credible players, and part and parcel of local development. The importance of this solution resides in its symbolic nature, that is, the integration of our people at all levels ahead of the political integration of our States. The Commission will backstop this highly laudable initiative and will undertake advocacy activities to enable them to receive greater attention and all possible support from the international community. The Commission will incorporate these initiatives in its policy for assistance to refugees with special focus on education.

##### ***Assistance to Refugees***

128. The Commission plans not only to radically increase the number of scholarship beneficiaries to about 50 refugees annually, but also, as far as possible, get those with

the necessary aptitude and competence, to go in for university studies. Programmes for training refugee trainers are also envisaged. In view of the meagre resources available to the Commission for this task, it will be desirable for Member States to offer to host some refugee students in their educational/university institutions, thereby consolidating the prevailing spirit of solidarity with refugees and also, above all, stay in line with the global policy of making refugees/returnees a driving force in development.

### ***The Question of Displaced Persons***

129. The response of the international community to the vexed question of displaced persons remains quite unsatisfactory, with the negative impact on their welfare. The challenge facing the Commission is to study and formulate an appropriate strategy which goes beyond the guideline principles advocated by the relevant Commission established by the United Nations Secretary General, creates a pertinent legal framework and develops adequate operational modalities to more effectively address the issue. In this connection, contacts have been established with our partners particularly the HCR, OCHA, ICRC and IOM to explore the possibility of an adequate response to the issue whose difficulty can hardly be over-emphasised as a result of the present tendency to cling to the simple guidelines principle mentioned above.

### ***Evaluation, Sensitisation***

130. The Commission organized a series of visits to countries. Apart from the objective of evaluation, these visits were particularly intended to mark the presence of the Continental Organization in support of the concerned Governments and populations, and to demonstrate its solidarity with them. The visits were also designed to sensitise Member States and the international community to the problems faced by refugees and displaced persons in the countries concerned, particularly the problems food, water and security in some of the camps. It has become more than ever necessary for Member States of the Union, within the framework of burden sharing, to rally alongside other players of the international community so as to provide financial and material assistance to the needy populations. Presently, very few Member States have discharged this moral obligation towards the affected people.

### **International Humanitarian Law Promotion**

131. Numerous violations of the International Humanitarian Law were reported in parts of the Continent in recent months. Of particular significance is the question of impunity in the face of these violations, especially for non-State players. The challenge therefore still remains obvious and sustained efforts should be made to address this situation. To this end, the Commission has placed among its top priorities, the promotion and, above all, respect for the International Humanitarian Law, all within the framework of the pertinent provisions of the Constitutive Act. It is in this context that, in partnership with Canada, a Special Representative of the Chairperson of the Commission will be appointed. The appointee will have the responsibility, through various actions, to help ensure the protection of civilians in situations of armed conflict. The Special Representative will, among other things, have the mandate to visit the countries in conflict, evaluate the situation of civilians and come up with appropriate recommendations as to how best to promote respect for the International Humanitarian Law.

### ***Strengthening Cooperation with Our Partners***

132. As a way of addressing the problems of coordination and harmonization in refugee protection and assistance in Africa, the Commission has undertaken to reactivate the Coordinating Committee for Assistance to Refugees in order to make it more operational. Its mandate and membership will be enlarged so as to make it a credible instrument for consultation, a forum for synergizing humanitarian, government and non-government players and the institutional platform of a Continental humanitarian network. We plan to convene the first meeting of the reactivated Coordinating Committee during the second half of 2004.

133. The positive developments observed in the Continent and the will shown by some asylum countries to continue to provide generous hospitality to the affected people will, in the long run, pave the way for lasting solution to the problem of refugees in the Continent in two core areas: voluntary repatriation and local integration where the political and security conditions are conducive. The promotion and implementation of these two options calls for concerted action on the part of the international community within the framework of burden sharing, thereby ensuring an effective solution which takes on board the imperative need to relocate the affected people in an environment that would enable them to occupy a proper place and play their due role in society. The Commission's efforts are geared to this objective. Member States' contribution to this initiative will be decisive.

### **6. CONFERENCE ON SECURITY, STABILITY, DEVELOPMENT AND COOPERATION IN AFRICA (CSSDCA)**

134. Consistent with its mandate, the programme of the Commission as it relates to the Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA) in the period under consideration focused on (a) mainstreaming civil society participation in the affairs of the Union, (b) developing an appropriate framework for engaging with and harnessing the contributions of the African Diaspora towards development on the continent and (c) adapting the CSSDCA process itself to the vision and mission statement and strategic framework of action of the Commission of the African Union.

### **Operationalization of the Economic, Social and Cultural Council ECOSOCC)**

135. It will be recalled that at its 4th Ordinary Session held in Maputo, Mozambique, in July 2003, the Executive Council, directed that the Draft statutes of ECOSOCC should be subject to even broader consultations with civil society and reviewed by the Permanent Representative Committee (PRC). The Commission undertook a process of national and regional consultations with civil society groups between July and December 2003, and their inputs were reflected in the ECOSOCC Draft Statutes.

136. Subsequently, the Draft Statutes was reviewed by the PRC on 11 and 14 June 2004. The Draft Statutes endorsed by the PRC would be submitted to the Executive Council and Assembly for consideration during this July Summit in order to enable ECOSOCC to be operationalized and to take its rightful place besides other key institutions such as the Peace and Security Council, the Pan African Parliament, etc. Civil Society is an integral part of this sustained effort. The Third meeting of the PWG that met in Cairo, Egypt, from 22 to 24 May 2004, discussed strategies for mobilizing

support for this purpose and modalities for implementation. Adoption of ECOSOCC statutes during the upcoming July Summit of 2004 will complement this effort and send a strong and positive signal to civil society organizations about the commitment of the Union and its political leadership to foster and cement partnership with civil society, in accordance with the provisions of the Constitutive Act of the Union.

### **AU-Civil Society Relations Outside ECOSOCC**

137. The Commission also has a responsibility to allow and develop a framework of association and partnership outside ECOSOCC that will be focused on relationship with networks, ad hoc arrangements and coalitions, bilateral undertakings, etc. This has several advantages. It will create a framework for CSOs that are not members of ECOSOCC to contribute directly and substantially to the continental agenda. It will avoid the organizational ethos of "bureaucratizing or regimentalizing" civil society within the construct of ECOSOCC. It will also recognize the loose and associative character of civil society organizations and situate the boundaries of ECOSOCC and the Pan-African Parliament. Since the ECOSOCC Draft Statutes is based on sectoral clusters that are aligned with the portfolios of the Commission, it will provide a framework for ensuring inter-sectoral linkages.

138. A Working Group on Strengthening relations between the Commission of the African Union and civil society was convened on 10 March 2004 to look closely at this matter and it came up with a set of very useful recommendations, including the need to elaborate on the idea of creating National Commissions and modalities for strengthening the content, purpose and character of AU-CSO intercourse and the means for its sustenance.

### **The Diaspora Agenda**

139. In fulfillment of the Executive Council Decision of Sun City, in May 2003, the Commission's first priority has been on expanding contacts with the Diaspora.

140. The African Diaspora has been a very eager partner in this enterprise. Moreover, the process of integration and consultations that have been carried out so far show that apart from distribution of the Diaspora among the various regions of the World - North America, South America, Europe, Asia, the Gulf regions, etc - there are also three different tendencies in the Diaspora movement. The first group is the continental African Diaspora comprising the African Diaspora on the continent itself. This group has begun to organize itself for participation in the AU process. The major initiative has come from the African Diaspora Forum based in Ghana. The second is the outside Diaspora that is spread unevenly among the various regions of the world. The outside Diaspora has two subsets, namely, the ancient and modern Diaspora. The ancient Diaspora are the generational descendants of those who were dispersed by the slave trade. The second subset are mostly economic migrants who are relatively recent or first generational émigrés. Several attempts have also been made by the outside Diaspora to organize themselves and to bring their thoughts to bear on key challenges of the Diaspora initiative.

141. Inevitably, tensions have arisen particularly among the outside diaspora between the ancient and modern in the bid for leadership of the movement and partnership with

the AU. The challenge of the Commission in this regard is to impose cohesion through a visionary and inclusive process. As part of the process, the Commission convened a technical workshop in Trinidad and Tobago from 2-5 June 2004 in association with the Western Hemisphere African Diaspora Network (WHADN), based in Washington. The workshop reflected on the issues raised by the Executive Council Decision of Sun City in May 2003 as directed. The outcome will be reviewed by the AU Commission with a view to submitting a strategy paper on consolidation of the Diaspora initiative to the Executive Council meeting of February 2005.

### **Institutional Transformation**

142. As part of the process of defining a strategic plan of action for the Commission in the next four years, the Commission has also initiated a process of re-defining the agenda of the CSSDCA to focus more explicitly on critical areas of concern such as the civil society agenda, the Diaspora, civil society and private sector forums, religious, social and professional forums, etc that are required to promote a wider sense of African citizenship. The cardinal objective is to develop a people-driven African Union to drive the processes of integration and development and to foster prosperity. To accomplish this purpose, however, the institutional capacity of the programme should be strengthened and upgraded. It would also be useful to have a more user-friendly name that is clearly aligned with this specific orientation. The AU Commission is therefore proposing the name CIDO – focusing on civil society and Diaspora organizations – to replace the CSSDCA.

143. In conclusion, the main purpose of the CSSDCA process is to initiate, sustain and strengthen credible policy dialogues that would impact seriously on integration of development in Africa. Our immediate four-year plan of action (2004-2007) has as its focus the creation of an African web. The web would only be effective and purpose-driven if it is people-oriented.

144. The Commission recommends to the Council four broad measures to support this objective as follows:

- a) The mapping of civil society organizations within Member States to see precisely who is there and who does what, how and where. This database will allow for flexibility in mandate and purpose to interact decisively with non-state actors and partners across the broad spectrum of Union activities, both within and outside ECOSOCC, particularly the latter.
- b) The initiation of broad policy discourse among African policy makers to renew and reinvigorate their commitment to sustain a people-driven agenda.
- c) Effective outreach and sensitization strategy that would create a sense of solidarity and stimulate result-oriented “quality dialogues” and effective partnerships.
- d) Authority to reconstitute the CSSDCA as required in order to align it with its new institutional focus and to change its name accordingly.

## **7. WOMEN, GENDER AND DEVELOPMENT**

145. The Assembly of Heads of State and Government of the AU which took place in July 2002, in Durban, South Africa, will go down the annals of history. Part of this will be because this was the auspicious occasion at which the AU was officially launched. Mostly, however, this will be because of the bold decision taken by the Assembly that the Commission of the AU would be characterized by absolute gender equality, a decision founded upon principles that are enshrined in the Constitutive Act of the AU. This was a cutting-edge decision which catapulted the AU to the frontline as the world leader in the promotion of gender equality. It was a decision which allowed Africa to set both the standard and the pace in an area that is fundamental to poverty eradication, sustainable development, unity, and the other accompaniments of prosperity. This milestone decision still reverberates the world over, acting as a catalyst spurring others to further/more action, and as a yardstick against which to measure other initiatives. The decision also stands as the benchmark against which the AU's continuing commitment to the principle of gender equality will be measured in the years to come.

146. In the immediate aftermath of the Durban Summit, the challenge facing the Interim Chairperson and his team consisted of creating the conditions that would enable the AU Policy Organs to respect the agreed gender, geographical, and merit considerations in their selection of the top leadership of the Commission. This was accomplished at the Maputo rendezvous in July 2003, where five female Commissioners were elected to the ten-person Commission.

147. These two major developments determined the challenges confronting the Commission in this area in the period between the Maputo Summit in July 2003 and the Addis Ababa Summit in July 2004. The first challenge lies in matching the accent which the Summit has placed on the promotion of gender equality, with the little staff complement approved for the Gender Directorate, especially given the cross-cutting nature of gender which stretches the mandate of the Directorate across the whole spectrum of AU activities, and the hopes and expectations riding on the Durban decision on gender equality.

148. The second challenge involves ensuring that the Durban gender equality decision moves beyond merely human terms to actual pragmatic gains that can be felt at the grassroot level in the form of more gender responsive policies, processes and programmes that impact positively on the lives of ordinary Africans. While this second challenge goes way beyond the Addis Ababa Summit, it is these two challenges which have defined the bulk of the work of the Gender Directorate in the period under review.

149. In responding to these challenges, the Chairperson decided to place the issue of gender on the agenda of the Assembly of Heads of State and Government at this Session, so that the Commission can benefit from the wisdom, guidance and leadership of Heads of State and Government, for more concerted action as well as better coherence, coordination and synergy between Commission and national efforts in this area. To that end, a Working Group on Gender was established to assist the Commission with thinking through the challenges facing the Commission in this area, and in preparing for the Heads of State Debate on Gender. The Commission organized two meetings of the Group, the first one from 4 to 6 March, and the other from 22 to 25 May 2004, at the AU Headquarters in Addis Ababa,

150. The Working Group made various recommendations for improving delivery capacity, including, among others, the following: how the Gender Directorate should interface with the various stakeholders internally as well as externally; increased staffing and budget for the Gender Directorate; development of an AU gender policy and mainstreaming strategy; and the establishment of a Specialized Technical Committee on Women and Gender.

151. Council will also recall that at its meeting of July 2003, in Maputo, Mozambique, Decision EX/CL/Dec.66 (III) was adopted which states as follows: “UNDERScores the need for the African Union to pursue the process aimed at operationalizing the African Women’s Committee on Peace and Development (AWCPD) particularly to its harmonious integration in the new structures of the Union and report thereon to the Fourth Ordinary Session of the Executive Council”.

152. Accordingly, the Commission convened a meeting of the Committee from 20 to 22 March 2004 at the Headquarters of the Union. Participants were the AU Commission, the ECA, and members of the AWCPD. The meeting reviewed issues relating to the AWCPD, focusing mainly on drawing lessons from the past in order to make proposals for the way forward. The proposals took cognisance of the changes that had taken place during the transformation from the OAU to the African Union, and the emerging AU Gender Programme. The meeting’s recommendations are still under consideration by the Commission. However, a report of the meeting is being submitted to this Session of Council.

153. While taking full cognisance of the achievements so far, and commending our Heads of State and Government, it is the hope of the Commission that the outcome of the current Session will be Member States/Heads of State and Government doing the following:

- i) reaffirming existing commitments as expressed in instruments such as the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa which are aimed at advancing gender equality;
- ii) committing to the measures necessary to maintain the current momentum, entrench a culture of gender equality, and move the gender agenda forward; and
- iii) taking personal responsibility for championing and following up on activities to promote gender equality in their various countries .

154. More specifically, three broad policy decisions are required to enable the Commission to deliver on its gender mandate, namely:

- i) Increased staffing and budgetary allocations for the Gender Directorate commensurate with the responsibilities entrusted to it and the priority placed on the promotion of gender equality by the Heads of State and Government;

- ii) Establishment of a Specialized Technical Committee on Women and Gender to link action at the level of Member States more closely with the Commission activities, and allow cross-fertilization between their initiatives so that they are mutually reinforcing; and
- iii) Clarification of the respective roles of the Gender Directorate, the Specialized Technical Committee on Women and Gender, and the African Women Committee on Peace and Development, with a view to their harmonious, synergistic and complementary interaction so that their activities reinforce and build upon each other.

## **8. COMMUNICATION AND INFORMATION**

155. The inadequate communication and information infrastructure within the Commission continues to undermine the impact of the AU in the media, thus making it difficult to plan, market and popularize the African Union, within its core constituency in Africa, but also beyond the shores of the Continent.

156. It was for this reason, that the Commission favorably considered advice received from experts to restructure the Communication Unit in order to make it more proactive and effective. Consequently, it is being proposed that the focus of efforts should be on:

- i) Public Information
- ii) Popularization and
- iii) Website Administration.

157. The rationale is to combine the provision of services with policy management to achieve cost effectiveness and keep pace with the contemporary globally driven state-of-the-art communication and information technologies (ICTs). This will inevitably lead to a necessary increase in running costs, particularly, for the hiring of new personnel and the implementation of some administrative adjustments for more effective performance.

158. Such an enhanced capacity will result in:

- i) The utilization of new technologies to promote the image of the African Union, project African interests and serve as a major force in accelerating the political development and economic integration of the Continent;
- ii) Serving more effectively as the Secretariat of the Conference of African Ministers of Information and Communication yet to be convened for the first time as the Specialized Technical Committee of the African Union responsible for communication matters;
- iii) Popularizing the Union at the national, regional and continental levels by applying every available technology in print, electronic (radio and television) and ICTs.

## **9. ECONOMIC MATTERS**

159. The Commission's efforts are focused on two broad areas of action, namely:

**I. STRENGTHENING THE CAPACITIES OF THE RECs AND THE COMMISSION:  
IMPLEMENTING THE TRAINING PROGRAMME ON ECONOMIC  
INTEGRATION IN AFRICA**

160. Council will recall that at its Session held in Maputo, it authorized the Commission to implement this highly important programme. Council will also recall that the programme which was mainly intended for officials of the Commission, those of the Secretariat of the Regional Economic Communities (RECs) and African Ministries of Integration, had the financial backing of the Arab Bank for Economic Development in Africa (BADEA). The programme was implemented in two phases corresponding to two sessions: the first session, for English speaking officials (19 January – 20 February 2004) and the second, for French speaking participants (19 March – 20 April 2004). The main objective of the training programme was to foster understanding of economic integration as a key element of African development and to build capacity for effective management of the process of regionalism in Africa. The target groups were officials from African Member States, African Union Commission, Regional Economic Communities (RECs), namely SADC, COMESA, CEN-SAD, ECCAS, ECOWAS and IGAD and very high level policy-makers in their respective institutions including Ministers, Ambassadors, Directors and Permanent Secretaries responsible for integration matters in their various institutions.

161. Regarding applications, it is to be noted that 65 applications were received for the English Session (36 of which originated from RECs and the African Union Commission, and 33 from ten countries) as for the French Session, 118 candidatures were recorded (71 from 20 countries and 47 from RECs and the Commission).

162. Management of the two Sessions was structured around the following modules:

- a) Economic Integration: Conceptual and Theoretical Issues and Pan-African Integration;
- b) Regionalism and the global economy: Africa in the Global Economy including NEPAD process;
- c) Experience of Economic Integration in Africa;
- d) Interlocking problems of African regionalism;
- e) Monetary Cooperation and African economic integration;
- f) Case studies of Economic Integration Schemes in Africa;
- g) Towards an African Economic Community/African Union;
- h) Industrial policies and Strategies within a regional integration context;
- i) Enhancing capacity for African Economic Integration;
- j) Multinational Programme in regional Integration; and
- k) Visioning for Economic Integration in Africa.

163. Council may further wish to know that the training programme generated unexpected enthusiasm, and even exuberant response from Member States and the Regional Economic Communities. The Commission was able to cater for only 20 officials from Member States whereas over 100 applications had been received. This enthusiasm and thirst for the programme constitute tangible expression of the great need

for training in matters of economic integration. Since the economic development of our Continent is one of the fundamental objectives of the AU Commission, it is extremely crucial to once again organize more of such programme thereby making it possible for all integration players to receive the training. Proof of this is that, at the end of each Session, participants unanimously put forward the following recommendations: regularly organize the training course at both regional and sub-regional level; develop and run other training programmes in areas of vital importance to Africa. Negotiations are currently underway with BADEA for continued financing of the programme.

## RECOMMENDATIONS

164. The Commission wishes to draw the attention of Council to the following:

- a) the Commission would like to pursue implementation of this training programme on economic integration in Africa, given the critical nature of the needs expressed by Member States and the RECs;
- b) the Commission would also like to adequately beef up the financial resources set aside for implementation of this programme, thereby enabling it to respond to the needs expressed by Member States and extend the programme to the other working languages of the Africa Union.

## II. INTERNATIONAL COOPERATION

165. In this area of action, the Commission focused particular attention on the following points:

### A. Follow-Up on the Africa-Europe Summit

166. Within the framework of the Africa-Europe Dialogue, an experts meeting of the expanded Troïka was held in Dublin (Ireland), from 17 to 18 February 2004, preceded by the meeting of experts on Africa's external debt; these meetings were followed by the meeting of the Ministerial Troïka, also held in Dublin on 1 April 2004. The different meetings culminated in consensual communiqués on agenda items which have already been distributed to Member States, for information. For the most part, the following issues were at the centre of discussions during the said meetings, namely: peace and security; governance; regional integration and trade; multilateralism; issues related to debt, migration, food security and HIV/AIDS. The opinions of the two sides on the above issues are contained in the consensual communiqué mentioned earlier.

167. However, although remarkable progress has been made on most of the issues on the agenda of the Africa-Europe Dialogue, this is not the case when it comes to the issue of Zimbabwe and our Continent's external debt.

168. The issue of Zimbabwe was the focus of attention of the participants at the last meeting of the Ministerial Troïka held in Dublin on 1 April 2004. Europe recalled that from February 2002 (the date on which sanctions were imposed on Zimbabwe) to date, the situation in Zimbabwe has hardly changed. In other words, according to our European partners, this country is still characterized by violence, political intimidation,

and all manner of deprivation of liberty. In response to this observation made by the European side, the African delegation intimated that all Zimbabwe needs is peace. Therefore, the real problem of the country could be summarized in the following question: How to help Zimbabwe overcome past difficulties. It was suggested that Zimbabweans be encouraged to sit around a table to find the internal dynamics of resolving their problems. Furthermore, the African delegation pointed out that Zimbabwe's problem was first of all linked to injustice dating back to the colonial past. This injustice is mainly characterized by the appropriation of most of the arable lands by a minority of Zimbabweans. This problem of injustice is therefore the source of destitution and poverty for which a lasting solution should first be found, before raising human rights issues. By and large, the African side underscored the promotion of dialogue, and requested Europe to urge Zimbabweans to embark on this road.

169. With regard to Africa's external debt, it should be noted that the EU welcomed the quality and substance of the joint Africa-Europe report on this issue. However, it intimated that the solution to the debt problem is economic rather than political. In addition, it recalled the urgent need for developing countries to honour their Monterrey obligations. Europe, for its part, would proceed with the recycling of the EDF for the benefit of the HIPC initiative. The AU underscored the need to activate the political lever to tackle the Continent's external debt burden. Africa also requested that additional efforts be made to provide further assistance to the poorest countries, the countries most affected by the HIV/AIDS pandemic and countries in post-conflict situations. Similarly, it stressed the need to initiate effective coordination between donors and creditors.

### Observations

170. It should be noted that the centres of interest of our partners vary with changes in the chair of the EU. Hence the constant changes with regard to the agenda of the Troika; even the follow-up mechanisms put in place at the Cairo Summit have changed considerably. Consequently, there is a gradual departure from the priorities contained in the Cairo Declaration which is the basis of the Africa-Europe Dialogue. Furthermore, it should be noted that the EDF resources are not readily accessible, which may explain the low absorption capacity observed at the level of the RECs.

### Recommendations

171. The Commission wishes to draw the attention of Council to the measures it intends to implement to make the Africa-Europe Dialogue more effective and dynamic:

e)d) \_\_\_\_\_ The Commission will continue the Africa-Europe Dialogue at all the levels provided for in this regard. It will therefore liaise with the EU for the organization of the Africa-Europe Summit in 2005.

f)e) \_\_\_\_\_ The Commission will submit to Council for its consideration and proposals, the agenda of the next Troikas before they are held.

g)f) \_\_\_\_\_ The Commission will begin negotiations with its EU counterpart on the practical modalities for the effective implementation of consensual decisions taken by the two sides.

## B. Follow-Up on the TICAD Initiative

172. Council will note that TICAD III which was recently held in Tokyo, focused essentially on the following problems: consolidation of peace; governance; agricultural development; private sector development, including tourism; infrastructure; water supply; information and communication technologies; human resource development; HIV/AIDS and other infectious diseases; and Africa-Asia cooperation. These issues were discussed earlier in regional preparatory meetings for TICAD III, which provided opportunity for each of the five regions of the Continent to express its needs in relation to these priorities.

173. In Tokyo, Japan and its G8 partners, as well as the international financial institutions, particularly the World Bank, highlighted the underlying factors for the poor performance of African countries and made recommendations to contribute to the development of Africa, the essence of which revolves around peace, human security, good governance, the promotion of democracy, private sector development through the adoption of the virtues of market economy, and of economic policies to generate strong and sustainable economic growth (considered as a major asset to eradicate poverty and consequently, to attain the millennium objectives). TICAD III therefore provided an opportunity for rich countries to confirm their endorsement of the concept of «ownership» and «partnership», which was already included in the Tokyo Plan of Action adopted by TICAD II in 1998.

174. In recognizing NEPAD as the vision with which Africa has endowed itself to rid the Continent of structural and chronic underdevelopment, and by accepting it to be at the core of their cooperation with Africa, the rich countries have wanted to send a clear message to Africans: development is firstly endogenous before becoming exogenous. Hence their total subscription to Africa's ownership of its development policies or strategies. To this end, they all promised to re-focus or readjust their policies for cooperation with Africa in order to assist the latter in implementing NEPAD.

175. Concerning the African countries present in Tokyo, it should be noted that the latter acknowledged the disappointing results recorded by the economies of the Continent, and expressed their solidarity with the NEPAD programme. In addition, these countries recognized the obstacles keeping them from the millennium objectives, and expressed the need to deploy all efforts to overcome these obstacles so as to position their economies on the road to sustainable growth and development. Consequently, African leaders suggested three new avenues to their interlocutors: establishment of a mechanism to monitor and evaluate the TICAD Initiative; convening an Extraordinary Summit to assess all the initiatives intended for Africa; and the establishment of an African Peace Fund.

176. However, a series of questions need to be asked concerning Africa's capacity to benefit from the TICAD Initiative. Has Africa heard the message conveyed by the idea of «ownership»? Can Africa mobilize the international private sector to finance NEPAD when we know that it has all the ingredients for instability and insecurity? Can Africa consolidate peace within its borders when we know that hardly has a conflagration of war been extinguished in one part of the Continent than another is ignited in another part? These questions, which are not exhaustive, lead to the following proposals.

177. Council should also note that in order to activate the ownership concept lever, Africa should agree to take control of its own destiny. In other words, Africa must resolve, by itself, the many conflicts of all types plaguing it; use public funds to finance the major projects of NEPAD (each country can contribute 0,7% of its GNP to this fund) since the latter come under natural monopoly and are of little interest to the private sector; and rid itself of the spirit of an agriculture-based Continent to adopt a real industrialization policy. If ownership, one of the major pillars of TICAD is thus perceived, Africa will cease to be the Continent notorious for negative economic and social indicators, thus paving the way for the much greater partnership promised by rich countries under TICAD.

## **RECOMMENDATIONS**

178. The Commission wishes to draw Council's attention to the following activities it intends to carry out as part of the implementation of the TICAD Initiative:

- a) The Commission will act as an interface between African countries and Japan. This will make for better coordination and give greater visibility in the implementation of TICAD.
- b) The Commission intends to collect all regional and continental projects submitted to TICAD, for possible financing, in order to harmonize them and monitor their implementation.
- c) The Commission intends to conduct negotiations with the Japanese authorities for the convening of TICAD on a rotational basis between Africa and Japan.

## **10. ESTABLISHMENT OF THE AFRICAN CENTRAL BANK**

179. The objective of the African Union (AU) is the creation of an African Monetary Union with one Central Bank and a single currency. In this regard, The Commission attended meetings of the Association of the African Central Banks (AACB) to make the point on the necessity to accelerate the path of creating such institution. Therefore, after examining the progress report on the implementation of the African Monetary Co-operation Programme on February 11, 2004, the AACB Bureau mandated its technical Committee to review the sequencing and timing of the stages, concepts and methodologies, as well as the internal consistency of the convergence criteria of the African Monetary Co-operation Programme (AMCP). The Governors noted the need to sensitise stakeholders outside the Central Banks such as Ministers responsible for the Economy, Finance, Planning and Trade who deal with fiscal and real sectors issues to play their part to enable African Central Banks to deliver the objectives of the AMCP. The Governors were concerned about inconsistencies between the monetary programmes of the Regional Economic Communities (RECs) and those of the AMCP. The need for consistency of policy implementation in meeting the targets was also re-emphasized.

180. Moreover, during the symposium held by the Assembly of Governors of the AACB in Tripoli on March 29, 2004, His Excellency, Brother Leader Muammar AL QADHAFI underscored the urgency of economic and monetary integration in Africa. In his address, he recalled that the world has changed tremendously over the last 20 years, with the

creation of European Union (EU), North American Free Trade Agreement (NAFTA) and the Association of South-East Asian Nations (ASEAN). He also recalled that African Leaders had earlier agreed on the establishment of an African Central Bank, as one of the financial institutions named in the Constitutive Act of the African Union. The Libyan Leader proposed that the AACB could start by putting in place Council of African Central Banks, a Board of Governors and other administrative procedures, with the Council and the Board of Governors forming the General Assembly of the African Central Bank. In this regard, Governors have been advised to take advantage of the lessons of the West African Monetary Union to create the Bank immediately.

181. A Committee to oversee the establishment of the African Central Bank is being proposed for consideration and endorsement by the Summit. The Committee will report to the Chairperson of the AU Commission.

182. The Summit is, therefore, invited to note the steps taken so far in fast tracking the establishment of the African Central Bank and to consider and approve the establishment of the Committee on the African Central Bank.

## 11. TRADE AND INDUSTRY

183. The Trade and Industry Department deployed efforts to implement two key decisions during the period under review. These are Assembly/AU/Decl.4 (II) and Assembly/AU/Decl.5 (II) both of which were adopted by the Heads of State and Government during their second ordinary session held in July 2003 in Maputo-Mozambique.

184. In the said decisions the Chairperson of the Assembly was requested to carry out consultations with the AU Commission in order to set up a negotiating team, to negotiate on behalf of its Member States, which are member States of the World Trade Organization (WTO). Secondly the Commission of the AU was requested to coordinate, monitor and harmonize the efforts of the concerned Regional Economic Communities (RECs) and Member States involved in the negotiations of the Economic Partnership Agreement (**EPA**) with the European Union (EU). To that end the Commission was to put in place a coordination mechanism between itself and the RECs. They further requested the establishment of a Joint AU/EU Monitoring Mechanism to include the various African regional negotiating Groups/RECs.

### **Challenge of Getting the WTO Negotiations Back on Track**

185. During the last Council, I reported about the collapse of the Trade talks in Cancun which was held in Mexico in September 2004. Since then I am pleased to report that our Member States which belong to the WTO have been engaged with their counterparts in a collective effort geared towards bringing back on track the Doha Work-Programme. This has entailed consultations on both the process and substantive aspects of the work. The Chairperson of the General Council, in collaboration with the Director General of the WTO conducted consultations on the critical issues in order to unlock the negotiations, namely on Agriculture, Non-Agricultural Market Access, Cotton Initiative and the so-called Singapore Issues.

186. On the side of our Member States of the WTO extensive consultations have been undertaken both at Ministerial and Officials levels in the post-Cancun period with a view to crafting Africa's strategy for the WTO-wide consultations. These meetings afforded the African Ministers the opportunity to reflect on the Cancun debacle and reaffirm Africa's commitment to the multilateral trading system.

187. It is against this background of extensive political effort deployed by all concerned that I wish to report to Council the outcome of the 2<sup>nd</sup> Conference of the AU Ministers of Trade, Customs and Immigration which took place in Kigali, Rwanda from 24-28 May 2004. In this connection I wish to draw Council's attention to the challenge ahead to our Member States involved in the forthcoming session of the WTO General Council which is scheduled in Geneva this July 2004. In this regard Council may wish to carefully consider the decisions of their colleagues, the Ministers of Trade with a view to endorsing them to the Assembly of Heads of State and Government for adoption. To that end, I would therefore like to invite Council to inter-alia consider endorsing the Kigali Declaration and the Kigali Consensus respectively, so that the two documents would constitute the political and technical guidelines for the African negotiators who would re-engage in the WTO's Doha Development Round negotiations.

#### **Ensuring AU Coordination Role in EPA Negotiations**

188. On the EPA negotiations, I wish to report a total of 47 AU Member States have configured themselves into four geographical regions for the purpose of negotiating the EPAs with the European Union. In this regard, Council may wish to note that with the launching of the second phase of the EPA negotiations in September 2003, three negotiations have been launched, namely in West, Central and East/Southern Africa regions. The SADC negotiations are about to be launched this July 2004. I would like in this context to draw Council's attention to the problem posed by the multiple and overlapping membership of RECs in the EPA geographical configurations and to the difficulty which the lack of coherence between the EPA configurations and regional integration groupings could constitute for the African regional integration process. The need to ensure that the EPAs are consistent with the objectives of the African Union and not undermine the African Unions objectives cannot be over-emphasized.

189. In this context, I wish to draw Council's attention to the fact that the configuration put in place by the EPA negotiations further complicate the African Union's regional integration landscape which is already complex with the proliferation of regional institutions and the multiple membership of the African Union members in these various RECs and other regional institutions.

190. Council may wish to carefully examine this situation against the need to ensure effective coordination, monitoring and harmonization of Africa's own process of integrating of its economic space on the one hand and the join-monitoring of the EPA negotiations, on the other, in order to safeguard Africa's own interests. In this regard, I wish to report that as directed by the Assembly last July in Maputo the Commission has deployed efforts in respect of the putting in place of the Regional Coordination Mechanism. To date the Commission has formulated and transmitted to the RECs the Memorandum of Understanding (MOU). Some have jointly reviewed the draft with the AU Commission in a recent meeting in April 2004. Some have sent comments and others are in the process of securing the approval of their respective policy organs. The

Commission expects the MOU to be finalized very shortly for signature by the RECs and the AU Commission before substantive negotiations commence. In this context Council may wish to request the Commission to speed up the preparations for the holding of the planned AUC-RECs EPA Coordination Meeting during the last quarter of 2004.

191. Regarding the Joint AUC-EC EPA Monitoring Mechanism Council is invited to note that the Commission has advanced in its consultations on the structure of the machinery and the nature of institutional framework to be put in place. I therefore want to seize this opportunity to express appreciation to the European Commission for the progress so far jointly achieved and would like to urge them to finalize the draft MOU with us, as soon as possible so that the mechanism can become functional.

### **Speeding-Up the Creation of the African Free Trade Area**

192. On the prospect for the establishment of the African Free Trade Area, which was extensively considered by the Ministers of Trade, member States are expected to speed up its realization, as per the Sirte Declaration proclaiming the African Union. Council may wish to share with their colleagues the Ministers of Trade, their concern about the challenge posed to the possible attainment of the regional Free Trade Areas. Council may wish to note the report of their colleagues to the effect that there are technical complexities that would arise as the various regional groupings evolve through their Free Trade Areas to the continental Free Trade Area and eventually to the African Common Market.

193. In this connection, Council may wish to call for I wish to call for a technical study to be undertaken by the Commission, for the benefit of Member States, outlining the complications involved in the problem of multiple membership in the RECs and other regional trade arrangements on the continent; formulate a minimum convergence programme and a road-map with the target of achieving the continental Free Trade Area in the short-term/medium term, in accordance with the Four-Year Strategic Action Plan.

## **12. SOCIAL AFFAIRS**

### **I. Introduction**

194. In its work Programme for 2004-2007, the Social Affairs Department has the ambition to “promote a holistic and human-centred approach to socio-economic development, and intra and inter-sectoral coordination of the social sector with a view to alleviating poverty and improving the quality of life of the African people, in particular the most vulnerable and marginalized”.

### **II. Health, Nutrition**

195. The main challenge is reducing the devastating impact of HIV/AIDS, TB, Malaria and Other Related Infectious Diseases; the three major causes of morbidity and mortality in Africa. These diseases are all closely associated with poverty. Since the 2001 Abuja Special Summit, the AU Commission has strived to play a leadership and coordinating role in implementing the relevant commitments including promoting access to affordable essential drugs for HIV/AIDS. In this regard and as was requested by Heads of State and

Government, it is working towards formulating a Continental Policy for Resource Mobilization for HIV/AIDS and other pandemics, including enhancing access to the Global Fund to fight AIDS, TB and Malaria. Preventing further spread, especially among to adolescents and youths is vital for control of HIV/AIDS. Although Malaria is preventable and easily curable, populations at risk lack access to knowledge and affordable protective insecticide-treated mosquito nets and drugs. At national level, mobilization of society as a whole to fight this diseases is still a challenge; as well as integrating control programmes into the overall development policy. Partnerships at the national, regional and international level need to be consolidated. More effective interaction between concerned sectors in Member States and the AU Commission is called sectors in Member States and the AU Commission is called for as the AU Commission builds capacity to play its leadership role.

196. It will be recalled that 2005 is the target for eradication of poliomyelitis (polio), and that to achieve this, all children at risk have to receive polio immunization by end of 2004. In the process children also receive vaccination against other killer diseases as well as other essential health services. The AU Commission has been involved in efforts to ensure this, especially with countries of highest priorities and lead Agencies, WHO and UNICEF. Member States are therefore, once more, urged to collectively ensure that all children at risk get polio vaccine by 31 December 2004, aimed at ridding the world of polio forever. The resources and infrastructure for polio immunization would then be diverted to other health programmes.

197. It was to deliberate on a more effective way forward that the AU Commission and the Minister of Health of Mozambique, in collaboration with WHO and the Global Alliance on Vaccines and Immunisation (GAVI) convened a Special Session of African Ministers of Health in Geneva, Switzerland in May 2004. An outcome of that session is presented separately to Council.

### **III. Population and Development**

198. The impact of various negative demographic trends and pressures on socio-economic development has been a source of concern in the continent. Therefore, to raise awareness and mobilize commitment among stakeholders and policy-makers, the AU Commission in collaboration with UNFPA, prepared a document entitled "*The State of African's Population: Population and Poverty Challenge*", which is being presented to the Executive Council. The document underscores the linkage between population dynamics including Reproductive Health, HIV/AIDS and poverty. In this regard, Member States are urged to intensify efforts to improve development indicators and meet the Millennium Development targets.

199. The Maputo Decision 29 requested the AUC in collaboration with the UN Habitat to promote the "Development of sustainable Towns and Cities" in view of the fact that about 70% of Africans live in slums, under very unsanitary conditions. To address this issue, the Department of Social Affairs and UN Habitat have started the process of convening the African Ministerial Conference on Housing & Urban Development (AMCHUD) during the latter part of 2004.

200. The AU Commission is part of a process whereby Sub-regional studies on the status of reproductive health, ten years after the International Conference on Population

and Development (ICPD) have been conducted in collaboration with the UNFPA, International Planned Parenthood Federation, Africa Regional Office. The results will be reviewed by Experts in the respective subregions between July and December 2004. This will culminate in the development of a comprehensive continental Plan of Action for Reproductive Health. Similarly a series of working group meetings were held with WHO/AFRO and other partners in early 2004 to design a draft "Road Map" to accelerate efforts to reduce maternal and newborn morbidity and mortality in Africa. This is another challenge to Africa's socio-economic development which the continent should address for Africa's renaissance in the 21<sup>st</sup> Century.

#### **IV. Labour and Employment**

201. The paradox of extreme and increasing poverty and deprivation in Africa amidst plentiful human and natural resources is increasingly visible in the light of the changes in the world poverty profile. It is in that regard that the Second Assembly of Heads of State and Government took decision to convene an Extraordinary Summit on Employment and Poverty Alleviation in Ouagadougou, September 2004 on the kind invitation of the Government of Burkina Faso. Member States are urged to undertake necessary multisectoral consultations to ensure maximum input into this important Conference.

##### **The AU Labour and Social Affairs Commission**

202. The Second Session of the Labour and Social Affairs Commission of the African Union was held in Cotonou, Benin from 19 – 24 April, 2004. The meeting discussed a wide ranging issues the most important of which were: the Declaration and Plan of Action on Employment and Poverty Alleviation; the Draft Plan of Action on Trafficking in Human Beings Especially Women and Children; the Draft Plan of Action on the Family in Africa; and the draft Strategic Framework for a Policy on Migration in Africa. Due to various causes, migration in Africa has reached unprecedented levels, and required coordinated management at national regional and continental level. The aim is to minimize the vulnerability of migrants and also benefit from migration where applicable on the margins of the Session, two important side events were held, namely, a Seminar on the Impact of HIV/AIDS on Socio-Economic Development in Africa co-organised by the AU Commission and ILO. A Special Session of some Heads of State from Benin, Burkina Faso, Ghana, Nigeria, Togo, Mozambique, and the Prime Minister of Niger was also organized in order to discuss the preparations for the Extraordinary Summit on Employment and Poverty referred to above.

203. At the end of its Session, the Labour and Social Affairs Commission adopted a number of recommendations as well as the Plan of Action on the Family in Africa. The report and recommendations of the Cotonou Session are presented to Council for endorsement and further directives. Generally, the Labour and Social Affairs Commission is urged to be more proactive; while the AU Commission is requested to build capacity to play its mandated role more effectively. The constraint related to coordinating many social sectors under one standing conference of Specialized Technical Committee was highlighted.

#### **V. Social Welfare**

### **Child Survival, Protection and Development**

204. For Africa to play a meaningful role in the globalised world of the 21<sup>st</sup> Century, it must invest in its children and youth. This should begin with fulfillment of relevant commitments like the African Charter on the Rights and Welfare of the Child. Among the challenges requiring attention is Trafficking of children, a phenomenon which is rapidly gaining momentum on the continent. It is a major violation of children's rights although awareness is being raised by the AU and its partners. As it is an issue which affects both Africa and Europe, it was addressed by the Africa-Europe Bi-Regional Meetings resulting in the elaboration of a joint AU/EU Plan of Action on Trafficking in Human Beings especially Women and Children. Member States are urged use this as a guide to enact legislation to combat trafficking in human beings; and work in close partnership with other countries and the international community to implement it.

### **The African Family**

205. The family is an important institution of society, especially in Africa. However, it is currently threatened by the many challenges facing the continent. When the UN proclaimed 1994 as the International Year of the Family (IYF) a lot of awareness was raised on the need to support this vital sector of society. For observing the tenth anniversary of IYF the Third Session of the AU Executive Council held in Maputo, in July 2003, mandated the AU Commission to elaborate the Plan of Action on the Family in Africa. It is worth noting that Africa is the first continent which has come up with a Plan of Action on the Family which will also constitute Africa's common position to the World Family Summit to be held in China in December 2004. The UN General Assembly nominated the Republic of Benin to organize the celebrations of the tenth anniversary of the IYF for the Africa region. In this regard, therefore, the Plan of Action will be formally launched by the Government of Benin in July 2004. Member States are called upon to join efforts to mark the 10<sup>th</sup> Anniversary. Member States are encouraged to launch and implement the Plan of Action at national level.

### **The African Decade of Disabled Persons (1999-2009)**

206. Due to armed conflicts, traffic accidents and other disasters, the percentage of people with disabilities is on the increase. A Secretariat has been established by the South African Government in Cape Town to coordinate the implementation of the Decade's objectives by the Disabled Peoples Organizations (DPOs). In monitoring the implementation of the Decade and its Plan of Action, the AU Commission and the African Rehabilitation Institute (ARI) are working in close collaboration with the Secretariat of the Decade and the UN. Member States are urged to take necessary action to meet their obligations to promote the well-being of this disadvantaged sector of society.

### **Promoting the Welfare of the Aged and Ageing**

207. Over the years, there has been a demographic revolution resulting in rapid growth in the number of older persons. Particularly due to the prevailing conflicts and the HIV/AIDS pandemic, older people are facing increasing hardships. The Heads of State and Government adopted a continental Policy Framework and Plan of Action on Ageing during their Summit in Durban in July 2002, aimed at improving the quality of life of older persons. The AU Commission is working closely with HelpAge International to

coordinated the implementation of the Policy Framework and Plan of Action. Member States are therefore called upon to utilize the Policy Framework when developing policies and programmes on ageing and establish follow-up mechanism to ensure their implementation.

## **VI. Drug Control and related Crime**

208. In implementation of the Maputo Decision on Anti-Doping in Sports, the AU Commission is working with the UNODC and the Supreme Council for Sports in Africa (SCSA) to elaborate a Draft Plan of Action. This will be considered by the 2<sup>nd</sup> AU Ministerial Conference on Drug Control scheduled to be held in Mauritius later this year. The Conference will also evaluate the status of implementation of the Plan of Action on Illicit Trafficking and Abuse of Drugs (2002-2006). In this regard, Member States which have not done so are urged to submit progress reports to the AU Commission.

## **VII. Culture**

209. In the cultural domain, I also carried out extensive consultations with inter-governmental institutions, States, professional associations, the private sector, individual experts and eminent personalities. The high level contributions inspired me in the elaboration of the Vision and Missions, insofar as culture in the full sense of the word contains all the ideals and values of a people, which gives a meaning and a direction to any societal project.

210. In agreement with the experts consulted, I also wish to place particular emphasis on the cultural industries which are the factors of development where Africa has relative advantages. This presupposes giving priority to cultural diversity in WTO negotiations, and promoting, knowledge, know-how and intellectual property. In the same vein, I intend, more than ever before, to explore the sports arena, which with culture could contribute greatly to correcting Africa's negative image in the world at large.

211. Furthermore, apart from the need to open, in the long run, an AU Office in Paris, I intend to review the Agreement linking us with UNESCO and strengthen our cooperation with this all important institution. Lastly, I will strive to strengthen the networks of African cultural institutions and associations and use them integrating factors.

## **VIII. AU Symbols: Emblem, Flag and Anthem**

212. In consolidating its position and identity, the African Union has to have legal brand, trade-mark or label by which it is represented; that is an emblem, a flag and an anthem. In this regard and as mandated, the AU Commission established a Task Force which, with the support of a Panel of Experts (Judges) considered the submitted proposals and the old OAU symbols. In March 2004 the Session of the Executive Council considered the submissions concerning the Emblem and Flag and recommended that those of the former OAU be retained. The proposals for the anthem were examined later and are to be submitted to the Executive Council for review. The final proposals for the Flag, Emblem and Anthem will subsequently be considered by the Assembly of Heads of State and Government.

### 13. AFRO-ARAB COOPERATION

#### **Sixth Afro-Arab Trade Fair**

213. The Sixth Afro-Arab Trade Fair was held from 5 to 14 December 2003, in Dar es Salaam, Tanzania.

214. Parallel to the Fair, an Investors Forum was held on 8<sup>th</sup> of December 2003. Four buyer and seller meetings in the sectors of textiles, garments and leather products; building materials and hardware; engineering electrical goods and domestic appliances and handicrafts and gift articles were also convened on 9, 11, 12 and 13 December 2003, for the purpose of facilitating business negotiations between suppliers and buyers of the specific commodities. Consultative meetings on Evaluation of Afro-Arab Trade Fair and Creation of Networks between Economic Operators of the two sides were also organized.

215. Participation at the Sixth Afro-Arab Trade Fair, when compared with the previous five similar events was reasonable. Nevertheless, given the importance of the event and the large number of countries in the two regions, the turn out, which stands at about 46%, was far below expectations.

216. The lengthy time and procedures required to reach the actual exhibitors in each country, financial constraints, inadequate publicity, communication and transportation problems are believed to be responsible for the low performance of Afro-Arab Trade Fair in general.

217. Apart from the above, the existing practice of organizing Trade Fairs at the level of the two coordinating organizations, i.e. the African Union Commission and the General Secretariat of the League of Arab States, and ignoring the vital role of the private sectors in this process, is also believed to be a serious constraint that calls for reconsideration of the whole approach.

218. Against that background, the Consultative Meeting on Evaluation of Afro-Arab Trade Fair held, parallel to the Sixth Afro-Arab Trade Fair, in December 2003 in Dar es Salaam, proposed a comprehensive evaluation of the Afro-Arab Trade Fair, with a view to enhancing its effectiveness in the future. A recommendation was also made for the creation of the Confederation of African and Arab Economic Actors and a Coordinating Committee was established to that end.

219. Sudan, as an Arab country, has informed the Commission, through the Arab League, that it will host the 7<sup>th</sup> Afro-Arab Trade Fair in 2005.

#### **Afro-Arab Cultural Institute**

220. The Afro-Arab Cultural Institute, which was established in April 2002, in Bamako, Mali, has so far convened four meetings of its Executive Council and one meeting of the Academic Board.

221. In spite of the above, however, the Institute is currently facing serious financial and human resource problems. The annual budget, which is fixed at US\$500,000, and

which should be covered by the African Union and the League of Arab States on a 50% contribution basis, is not paid on time and the Institute is not also able to solicit external funding to support its activities. Although more than two years have passed since its establishment, the Institute has not yet started implementing program activities. The Program of Action approved by the Institute is not also coherent and streamlined. This alarming situation calls for urgent remedial measures on the part of the two parties. In terms of staffing, it only has a Director General, a Finance officer and a couple of other support staff.

222. The Commission is of the opinion that the Institute should serve more contemporary and important purposes than to be only a mere coordinator of cultural cooperation. In light of this it is proposing for the conversion of the Afro-Arab Cultural Institute into an Institute of Afro-Arab Strategic Studies, whose modalities of establishment could be worked out once the formal consent from the party is secured.

#### **14. INFRASTRUCTURE AND ENERGY**

223. Building and strengthening partnerships for the implementation of the programme of the African Union in infrastructure and energy has been at the centre of the Commission's activities during the period under review. The challenges in terms of resource and capacity requirements for the development of transport, communications, tourism and energy infrastructure and services are enormous. Yet, the Commission intends to realise concrete and visible results in this area through effective implementation of its quadrennial programme. Among the major developments in this area during this period include the following.

##### **Air Transport**

##### **Strengthening of the African Civil Aviation Commission (AFCAC)**

224. The President and the Secretary-General of the African Civil Aviation Commission (AFCAC), a specialized agency of the African Union, called on the Commission on 18<sup>th</sup> February 2004 to discuss the future of AFCAC in view of the impending termination of the support of the International Civil Aviation Organization (ICAO) By the end of December 2004. At that meeting, the Commission was informed of the chronic non-payment of contributions by Member States which has resulted in huge arrears and rendered AFCAC largely dependent on ICAO's subventions. This means that if no action is taken by Member States to improve the finances of the organization, its activities would have to cease soon after the date.

225. Following intensive discussions, both parties underscored the need to strengthen AFCAC as an autonomous specialized agency of the African Union on matters of civil aviation and air transport. The Commission undertook to conduct a study into the matter in order to determine the appropriate course of action that should be taken to that effect. The activity has been included in the 2004 – 2007 Plan of Action of the African Union.

226. Furthermore, the Commission was invited and attended the 17<sup>th</sup> Plenary session of AFCAC held in Johannesburg, South Africa from 10 to 14 May 2005. The meeting discussed various issues of technical and administrative nature. Matters concerning the implementation of the Yamoussoukro Decision on the liberalization of air transport services, competition, privatization and autonomy of civil aviation authorities, as well as

safety and security oversight were considered in the technical segment of the meeting. The African Union is expected to play a leadership role in promoting, facilitating and consolidating the development of the civil aviation industry in Africa. Resolution of disputes in the course of market liberalization and integration would be one of the main responsibilities of the Union.

227. The administrative agenda focused on issues related to financing and programme implementation, election of the AFCAC Bureau and selection of African candidatures to the Council of ICAO. The following countries were elected to the new AFCAC Bureau: South Africa, Gabon, Kenya, Algeria, Cote d'Ivoire and Zambia

228. African Candidatures to the Council of ICAO were endorsed as follows: Egypt, Nigeria and South Africa for Category II and Cameroon, Ethiopia, Ghana, Mozambique and Tunisia for Category. The Executive Council is requested to endorse the candidatures and Member States are urged to support them unanimously before, during and after the elections.

### **Working Group on Mastering the African Air Space**

229. In early March 2004, a meeting of civil aviation experts from the CEMAC, AFRAA, UNECA and ASECNA was convened to assist the Commission develop its programme for the civil aviation sector. The main issue of concern was about the frailty of small and resource constrained national air transport industries. The meeting discussed technical, marketing and institutional issues in the sector. Among its main recommendations were:

- Rationalisation of the African air space;
- Establishment of the African Air Safety and Security Group;
- Development of a Strategy for speeding up liberalisation of air transport services through implementation of the Yamoussoukro Decision for the liberalisation of air transport markets;
- Inclusion of the Yamoussoukro Decision in the African Peer Review Mechanism; and
- Promotion of viable regional airlines.

230. The Executive Council is requested to endorse the above recommendations and provide the Commission with the necessary resources for their implementation. Member States are requested to assist the Commission in the implementation of the recommendations.

### **Meeting of the Community of Sahelo – Saharien States (CEN-SAD) Ministers of Transport**

231. The Commission was invited and attended the meeting of the Ministers responsible for transport and infrastructure of the Community of the Sahelo – Saharien States (CEN-SAD) which took place in N'djamena, Chad from 19 to 20 May 2004. The meeting considered a comprehensive programme of cooperation for the development of transport infrastructure and services in the region for which the support of the African Union, NEPAD, ADB and UNECA was being sought.

232. The major outcome of the meeting was the adoption of the N'djamena Declaration as the framework document for the development of transport infrastructure and services

in the CEN-SAD region. In this regard, the African Union and the NEPAD Secretariat will have to find ways of supporting and facilitating the implementation particularly of the trans-Saharan highway and railway projects proposed by this region. The projects are key to the enhancement of linkage between North Africa and the rest of the continent.

### **Information and Communications Technologies (ICT)**

#### **Implementation of Decision EX/CL/Dec.61 (III): World Summit on Information Society (WSIS)**

233. Preparations for the second phase of the World Summit on Information Society (WSIS) scheduled for Tunis, Tunisia in 2005 are underway. Key interests of Africa in the formation of a global information society, which would be considered at the Summit, relate to:

- Sharing and equal access to knowledge;
- Equal access to ICT equipment and facilities;
- Respect of basic human rights and cultural diversity;
- Promotion of local content using, as much as possible, local languages; and
- Establishment of the Digital Solidarity Fund.

234. Therefore, Africa needs to prepare well in order to be able to prevail and realize the above objectives at the Summit. Details on how Africa should prepare itself are contained in the report of the Chairperson of the Commission on the matter.

#### **Creation of a Unified Telecommunications Numbering Space for Africa**

235. The Commission has finalised the preparation of the project document for the project on the creation of a unified numbering space for Africa. Implementation of this project will lead to the harmonisation of policies and standards in the continent for the enhancement of accessibility, quality and affordability of ICT services. The project document will be submitted to the Executive Council and the Assembly for approval after which a full-scale study would be launched late in the year.

#### **The ITU Telecom Africa 2004**

236. Alongside the ITU Telecom Africa 2004 exhibition held in Cairo, Egypt from 4 to 10 May 2004, a youth forum on ICT was organised with the participation of the Commission. Below are the recommendations of the Youth Forum:

- Establishment of National Policy and Regulatory Commissions composed of government officials, the private sector and the civil society with a view to ensuring the liberalisation of ICT markets as well as the provision of efficient services;
- Promoting the use of ICT in education and, in that regard, the use of local languages in online education programmes in order to reach more African youth;
- Creation of technical innovation centres in at least one university in each country for providing technical, financial and managerial assistance to youth ICT projects.

- Promoting the use of ICT in rural areas by, among others, utilisation of low cost technologies, encouraging private sectors investment and establishment of tele-centres and cyber cafes in rural primary schools; and
- Establishment of Youth Forum in each country for the promotion of ICT.

237. Due to the importance of the above recommendations and taking into account the expectations of the African youth who participated in the ITU Youth Forum, the Commission undertakes to spearhead their implementation. Member States are also urged to take appropriate action on those recommendations that concern their areas of jurisdiction.

### **The NEPAD's e-Schools Initiative**

238. The Commission attended a seminar on the NEPAD's e-school initiative held in Johannesburg, South Africa from 13 to 15 May 2004. The initiative, which is included in the quadrennial programme of the African Union, aims at linking about 600,000 primary and secondary schools to the Internet in order to promote distant learning through the utilisation of ICT. The seminar discussed the e-schools concept, its objectives and its implementation modalities including human, financial and material resource requirements.

239. The e-Schools initiative is vital in the promotion of the use of ICT in Africa, as it would bring up generations of Africans well attuned to the demands of the global information society. In this regard, the Commission will undertake concerted efforts to support and facilitate the implementation of the project. In order to ensure the availability of adequate financial resources for smooth implementation of the project, it is recommended that a continental mechanism including the African Union, the African Development Bank (ADB), the e-Africa Commission, the RECs and other stakeholders be put in place for that purpose. ADB should lead the effort. As well, the personal involvement of the Chairperson of the Commission would lend more weight to the importance of the project, attract the interest of development partners and lead to its successful accomplishment.

## **Energy**

### **Operationalisation of the African Energy Commission (AFREC)**

240. Operationalisation of the African Energy Commission (AFREC) established by Decision of the Assembly (AHG/167/XXXIV) in Lusaka in July 2001 is still outstanding. So far, only six (6) countries have ratified the Convention of AFREC, which is far below the required minimum of fifteen (15) instruments of ratification that would enable it to enter into force. It would, therefore, be of utmost importance for Member States to become aware of the predicament of AFREC, and the energy sector in Africa, and to re-commit themselves to the operationalisation of AFREC.

### **Meeting of the African Ministers of Energy**

241. The Commission and the United Nations Environment Programme (UNEP) were involved in the joint organisation of the Meeting of African Ministers of Energy which took place in Nairobi, Kenya from 7 to 8 May 2004. The focus of the meeting was on the promotion of renewable energies in Africa and, specifically, the adoption of a statement

for presentation to the International Conference on Renewables held in Bonn, Germany in early June 2004. In that regard, formulation of strategies for facilitating the development and utilisation of renewable energy sources is included in the Action Plan of the Commission.

242. The issue of institutional mechanisms for the energy sector also featured prominently in this meeting where the need for the establishment of a Ministerial Forum for the energy sector was underscored. In that connection, the African Union was requested to set-up a Ministerial forum for the energy industry under its auspices as a matter of urgency. To that end, the Commission will speed up implementation of the Lusaka Decision (AHG/160 XXXVII) on the operationalisation of specialised technical committees (STCs).

### **Policy Harmonisation and Standardisation in the Electricity and Oil Industries**

243. In promoting and facilitating the establishment of electricity power pools, the Commission is working together with the Union of Producers, Conveyors and Distributors of Electricity in Africa (UPDEA) to harmonise policies and standards in this sub-sector. To that effect, establishment of an electro-technical commission has been planned in the quadrennial programme of the African Union. The Commission also intends, following consultations with the Association of African Producers of Petroleum (APPA), to conduct a comprehensive study on the oil and gas sub-sector with a view to formulating a concrete policy and strategy for guiding the development and exploitation of the crucial energy resources in the continent.

## **15. RURAL ECONOMY AND AGRICULTURE**

244. The development of the agricultural sector in Africa is of fundamental importance to the attainment of food self-sufficiency and food security as well as sustainable rural development, particularly in view of Africa's immense agricultural potential. However, despite this potential and in spite of the fact that the majority of the continent's population is employed in the sector, the Continent's agriculture has remained underdeveloped throughout the past four decades. Africa and has consequently, not been able to feed its large and growing population. This situation has persisted as a result of various contributory factors, including under-funding of the sector by national governments, adverse climatic changes and inadequate farming practices. There is an urgent need for the continent to seriously address the problems facing the sector if it must meet the Millennium Development Goals of halving the number of the hungry and poor by 2015, and achieving food self-sufficiency and food security.

245. The Decision, Assembly/AU/10(II) adopted in Maputo on revitalization of the Agricultural sector, including livestock and fisheries, called for the development of appropriate policies and strategies, which can lead to improvement in the production and the productivity of the sector. In pursuance of the decision by the Assembly, an Extra Ordinary Summit on Agriculture and Water was convened in February 2004, in Sirte, Libya, to elaborate strategies on Agriculture and Water. One of the major outcomes of the Summit was *the Sirte Declaration on the Challenges of implementing integrated and sustainable development in Agriculture and Water in Africa*. The Sirte Declaration highlighted the array of challenges that Africa is faced with in improving its agriculture and natural resources sectors.

246. The Strategic Plan of the Commission for the period 2004-2007 seeks to address issues such as the establishment of the Agricultural Common Market, the African Agricultural Development Fund, the Centres of Excellence for research and development, development of mechanisms for Shared Water Resources Management, Promotion of Agricultural Strategic Commodities, promotion of livestock and animal resources production, as well as transforming the relevant institutional bodies into AU Specialized Technical Committees. Furthermore the Commission, working actively and closely with the Food and Agriculture Organization of the United Nations to undertake relevant studies, with the view to accelerating the establishment of a common market for basic food crops. To this end it has recently secured the FAO's commitment to provide \$333,000 worth of technical assistance to conduct the studies. The Commission wishes to express its appreciation to the FAO and invites the collaboration and cooperation of the Regional Economic Communities and national governments with the study teams that will be engaged on the study.

247. The Extra-ordinary Summit was confronted with many challenges including timing constraints that did not allow some Member States to undertake timely preparations, especially the elaboration of the working documents. Furthermore the preparatory work was not budgeted for and the activities of the Commission were constrained in this respect. The Preparatory Committee faced considerable difficulty in defining the theme and expected outcome since the proposal for the Summit was based not on a specific decision but on a general expression of the need to accelerate socio-economic development in Africa. In addition, the Department had limited staff and the time allocated for the Experts and Ministers' meetings were too short and too close to each other to allow for adequate coverage of the issues and the writing of the report.

248. In future Extra-Ordinary Summits should be based on specific issues and realistic objectives, as well as on concrete decisions to allow the Commission the time, the space and the clarity needed to engage in adequate preparations. Meetings should be adequately spaced and sufficient resources allocated for preparatory activities.

#### **Allocation of 10% of the National Budget of the Member States to agriculture**

249. The proposal for Member States to allocate 10% of their national budgets for the development of the agricultural sector received further support in the Sirte Declaration on Agriculture and Water of February 2004. The Commission, through the NEPAD Action Plan for the agriculture sector, is proposing a strategy to establish a tracking system in collaboration with partners such as the FAO, ADB and the World Bank. One of the challenges that it will face will be how to ensure conformity by Member States with the reporting requirements of the tracking systems to be established. For this purpose a two-phase approach to the tracking system is being developed. The first phase involves the development and validation of the system, while the second phase will focus on capacity strengthening of Member States to operationalize the system. A proposal has been developed and submitted to potential donors for funding.

250. It is further proposed that Council looks into the possibility of using the NEPAD Peer Review Mechanism, which could provide good, though limited, opportunity for follow-up with Member States. The urgent establishment of a Specialized Technical Committee on Agriculture, in which the entire membership of the Union will be

represented, may provide an effective and regular means of ensuring this monitoring and implementation of the 10% commitment. Council may also wish to reflect on this issue.

### **The revised Convention on the conservation of Nature and Natural Resources**

251. In recognition of the need for collective action to effectively address and reverse the trend towards environmental and natural resources degradation in the continent, Decision Assembly/AU/Dec.9 (II) of the Assembly in Maputo adopted the revised African Convention on the Conservation of Nature and Natural resources. The Department of Rural Economy and Agriculture in collaboration with the legal council's Office have continued to sensitise Member States to sign and ratify the Convention since its adoption. To date only eighteen countries have signed the convention.

252. Member States have not demonstrated much enthusiasm in taking steps to sign and ratify the revised convention. Consequently the Commission is challenged to continue to sensitize and encourage Member States to sign and ratify the convention in the coming months. The Commission has included this element of sensitisation in its strategic plan. In the course of the coming three years efforts will be exerted to get more member States to accede to the Convention.

### **Emergency Fund for Drought and Famine in Africa**

253. To date the responses of Africa and her development partners to disaster emergencies have been basically reactive by way of providing relief assistance to affected populations. Little has been done to reduce risks and to prevent or reduce the frequency and impacts of these disasters. The Council Decision EX.CL.Dec.54/(II) adopted in Maputo relating to the Special Emergency Fund for Drought and Famine in Africa, recognized the need for mitigation measures for drought, famine and other environmental emergencies. In line with this the Commission and the NEPAD Secretariat initiated a programme to develop regional strategies for disaster risk reduction. Furthermore, both agencies continue to actively participate in the work of the Inter-Agency Task Force (IATF) of the United Nations International Strategy for Disaster Reduction (ISDR). As a result the ISDR established a Working Group on disaster reduction in Africa. Membership of this Group was drawn from the RECs and regional specialized agency partners. The Working Group also provide technical backstopping to the AU-NEPAD initiatives which resulted in the regional strategies on disaster risk reduction considered by the African Ministerial Conference on the Environment (AMCEN) and available for endorsement, as necessary, by Council.

254. The request by the Commission to create a development funding window in the Special Emergency Assistance Fund for Drought and Famine in Africa (SEAF), in order to finance drought mitigation activities, has yet to be approved. After Council's endorsement of the strategies proposed, the challenge would be for Member States to incorporate them in their national development programmes, especially the poverty reduction programmes, and to implement them. This would require dedicated resources for the Commission to enable it to assist Member States in this development effort. The Commission will follow-up with the Policy Committee of the SEAF to ensure that a sustainable means of funding, in the form of a dedicated window for mitigation activities, is created in the SEAF. It is hoped that in the near future, Council would grant approval for the creation of this window.

### **The challenge of eradicating tsetse flies and trypanosomiasis from Africa**

255. Tsetse-transmitted trypanosomiasis is a devastating disease that afflicts man and domestic animals in 37 countries in Africa, causing death, debility, diminished productivity and massive economic losses. The disease is a major constraint Africa's to socio-economic development.

256. In accordance with decision AHG/Dec. 156 (XXXVI), urging Member States to embark on a Pan-African Tsetse and Trypanosomiasis Eradication Campaign (PATTEC), the Commission established a PATTEC Coordination Office, which was initially managed with support from the International Atomic Energy Agency, but has since the Summit in Maputo been incorporated in the structure of the Commission. In collaboration with the affected member states, national and international organisations and other partners, the PATTEC Co-ordination Office undertakes to bring together the political, financial and technical components of the campaign, which are required to ensure sustained action and enhance efficiency in the implementation of the objectives of the PATTEC initiative. The PATTEC Coordination Office was mandated to remind Member States of the Union about their individual and collective obligations to the requirements of the tsetse and trypanosomiasis eradication campaign and it was also assigned the task of mobilizing support and commitment, drumming up intervention action and coordinating the activities of the campaign. A number of countries in West, East, Central, and Southern Africa have already engaged action in implementing the objectives of the PATTEC initiative. The African Development Bank has shown interest in providing a framework for supporting tsetse eradication programmes.

257. The staff strength of the PATTEC Office remains weak, a factor that has constrained the Commission in undertaking sufficient sensitization campaigns. Difficulties were faced in convincing Member States to include tsetse eradication and trypanosomiasis control in their development priorities.

258. At the African Union Inter-Bureau for Animal Resources (AU-IBAR) level, the Farming In Tsetse Controlled Areas project (FITCA), used as an entry point to introduce integrated rural development activities was executed in five East African countries, namely; Ethiopia, Kenya, Rwanda, Tanzania and Uganda. The project will end in December 2004. 281. The Commission with its partners will seek to utilize the experiences and lessons learned from FITCA within the PATTEC Projects in the various countries.

### **The revitalization of the Fouta Djallon Highland Integrated Development Programme**

259. The Commission has taken steps to revitalize the programme for the Integrated Development of the Fouta Djallon Massif. As would be recalled, a Headquarters agreement was signed in Maputo for this purpose. The FAO is currently undertaking a study to redesign the whole programme. 283. Although this programme may continue to receive some funding from AU's development partners, it is imperative for the African Union, and for the Economic Community of West African States to dedicate sufficient resources to this pilot integrated natural resources management programme for its sustainability.

### **The Pan African Veterinary Vaccines Centre (PANVAC)**

260. Very little attention has so far been paid to the promotion of the manufacture and trade in homemade vaccines and other veterinary products within most AU Member States. In its effort to focus attention on this issue, the Commission has taken over the Pan-African Veterinary Vaccine Centre (PANVAC) and concluded a hosting agreement with Ethiopia, which has been host to the Centre when it was being operated by the FAO. A plan of action for the implementation of the mandate of the Centre is being developed.

261. Efforts will be made to mobilize resources for the Centre. At the launching of the Centre in March 2004, the Centre had only sufficient external funding to last it for about nine months. As a result, by December 2004, the Commission must mobilize sufficient internal and external resources to sustain the center.

### **The Inter-African Bureau of Animal Resources (IBAR)**

262. The Commission through its IBAR Office has continued to pay attention to the ongoing specific programmes such as the Livestock-Wildlife Environmental Interface Project and the Community-Based Animal Health and Participatory Epidemiology Project. While the first deals with resolution of conflicts associated with the use of shared and diminishing natural resources between livestock and wildlife and the impact on the environmental degradation in Eastern Africa; the second deals with a framework for establishing a pro-poor Livestock policy initiative for the Horn of Africa. It has developed pilot trials to improve marketing of livestock and dairy products from pastoralist areas and worked closely with IBAR's PACE programme to develop a concept of community-based trade

263. The project on Livestock-Wildlife Environment Interface will be funded by the GEF/UNEP, which requires co-financing as a condition before funds are released by GEF. The Commission is therefore faced with the need to commit some additional funds to encourage donors. The IBAR office should use the PACE expertise and experience to form a strong "Institutional and Policy Support Team" that will work with NEPAD, the RECs and Member States to strengthen their capacity to formulate improved policy and policy processes. This would ensure that the livestock sector in Africa reaches its potential, is vibrant and able to compete with other continents producing livestock for export markets.

### **Semi-arid Food Grain Research and Development Centre (SAFDRAD)**

264. Since July 2003, SAFGRAD has been institutionalized as a specialized Bureau of the African Union in charge of food security and sustainable agricultural development under the Rural Economy and Agriculture Department.

265. The main achievements of SAFGRAD include widespread dissemination of tolerant maize varieties and agronomic technologies for mitigation of striga effect on maize productivity in semi-arid areas of participating countries. This project targets maize, an important strategic commodity grown in most African countries. The SAFGRAD program on water brings together several African and international institutions aims at enhancing rainwater and nutrient use efficiency for improved crop productivity. It

is expected that technologies developed and tested at pilot basis on the Volta Basin can be transferred to several other semi-arid basins in Africa.

266. Improving crop production systems and increasing productivity and production in the face of increasing climatic and environmental vagaries is indeed a very big challenge for the African continent. In addition to the identification, research and development of strategic crops, it also calls for the development and promotion of other drought resistant crop varieties that form the bulk of the African food basket. Africa is endowed with a large variety of food crops whose careful development and nurturing calls for concerted collaborative effort in research, development and promotion at the continental level. This collaboration is being achieved through the Commission's Semi-arid Food Grain Research and Development (SAFGRAD) Centre based in Ouagadougou, Burkina Faso. For efficiency and effectiveness however, it would be necessary to expand the mandate of SAFGRAD to cover development of other non semi-arid crops. This will require the establishment of representational technical offices and activities in the semi-humid and humid agro-climatic zones of the continent for the development of other crops. The expansion of SAFGRAD's geographical coverage and activities will facilitate streamlining and coordination of research and development amongst the various research centres throughout the continent. The Commission will pursue this objective through support to the strengthening and expansion of SAFGRAD's on-going activists. There would however be need for increased financial and human resources undertaking for a continental coverage. This undertaking is absolutely necessary for development, promotion and improved marketing of the continent's subsistence and export crop and for poverty reduction.

267. SAFGRAD has designed and set up a website; its address is [www.ua-SAFGRAD.org](http://www.ua-SAFGRAD.org).

268. Resources will be necessary to upgrade, harmonize and link specialized offices web sites with the AU Commission main site. Offices outside Headquarters constitute an image of AU in countries where they are located and for all visiting partners; they therefore need to benefit from all modern tools that can increase their efficiency and visibility.

### **The Inter-African Phytosanitarian Council Office (IPC)**

269. While there is need to increase productivity and production of export crops, the continent needs to address its obligations in the context of international phytosanitary standards. It is in the context of this efforts that the Inter-African Phytosanitary Council of the Commission (AU/IPC), based in Yaounde, Cameroon, is focusing attention on developing capacity in African countries to meet the standard, requirements, and obligations of international agriculture trade. The high standards and regulations set as condition of entry into the international market are onerous and difficult to meet. The IPC is obliged to urgently work on several fronts and, with regional bodies and National Plant Protection Offices (NPPOs), to develop capacity in all countries to meet these challenges for international trade in agricultural products. So far, 16 participants from 5 Central African countries have been trained in this area.

270. For the Member States of the African Union to take collective advantage of the opportunities offered by the international agricultural market, they need to ensure

harmony between their national phytosanitary regulations and to align these with the International Plant Protection Convention. It is in reorganization of this need that the Commission, through the IPC, took the initiative to revise the African Phytosanitary Convention (drawn in 1967), using guidelines drawn from the International Plant Protection Convention, while respecting international agreements under the World Trade Organisation (WTO) sanitary and phytosanitary measures. This revision process needs the support of Council. Furthermore, the African Phytosanitary Convention needs to be adopted as one of the Treaties of the Union. The Commission will work actively with the National Crop Protection Services and Regional Organisations to sensitise governments at the highest level for the adoption of the Convention by all Member States.

### **The 1999 Sirte Decision on the United Nations Convention to Combat Desertification (UNCCD) in Africa.**

271. Aware of the importance of this Convention, the Decision adopted a mechanism for the implementation of the UNCCD in Africa. However this mechanism has had little follow-up funding for its effective implementation. Concrete action that the Commission has already taken include the commissioning of Study on ways in which it could better intervene to facilitate and coordinate action at the regional and continental levels. The study has been concluded and its report available for the Commission's further action.

272. The Commission has not had sufficient resources to support the Regional Economic Communities in the elaboration of their Sub-regional Action Plans and to coordinate activities at the continental level.

### **Other Important Environmental Initiatives of Interest to The Commission**

273. The health impacts of HIV/AIDS, malaria, tuberculosis and other contagious diseases on Africa's farming populations and thus on the continent's food self-sufficiency and food security prospects are beginning to be appreciated. However there are other health risks posed by the very chemicals that farmers use to protect their crops, which go unacknowledged at many levels. These are pesticides and other persistent organic pollutants (POPs), which have become obsolete over time having been accumulated in storage facilities throughout the continent. Estimated currently at more than 100,000 tonnes, these obsolete pesticides pose serious direct and indirect threats to the health and well being particularly of the rural populations, through contamination of water, soils, plants and animals that they consume or are in contact with. The Commission has associated itself with an inter-agency initiative to rid the continent of these dangerous chemicals through the Africa Stockpiles Programme (ASP), designed to be implemented over a 10-15 years period. All Member States of the African Union are target beneficiaries of the programme. Phase one countries that may start implementation of the programme during the course of 2004 and 2005 include Ethiopia, Mali, South Africa Tanzania and Tunisia. The ASP will benefit from substantive financial contribution of the Global Environment Facility, which is the implementing agency of the Stockholm Convention on Persistent Organic Pollutants. Consequently countries wishing to participate in the ASP are required to have ratified the Stockholm Convention. Council may wish to urge Member States to ratify the said Convention as well as other regional and international Conventions such as the Bamako, Rotterdam and Basel Conventions governing the storage, management, and trans-boundary movement of hazardous wastes and chemicals.

## 16. HUMAN RESOURCES, SCIENCE AND TECHNOLOGY

### **The issue of Biosafety in Biotechnology and the Africa-Wide Capacity Building in Biosafety**

274. The emerging new Technologies, particularly the Biotechnologies and their products as well as the related debate around them in the world today, more specifically the question of Living Modified Organisms (LMOs) and the Genetically Modified Organisms (GMOs), call for particular attention in Africa and her Continental Organization, the African Union Commission.

275. To that effect, and in pursuance of the Executive Council decision EX/CL/Dec.26(III) of its 3<sup>rd</sup> Ordinary Session which, *inter alia*, requested the AU Commission: *“to continue with steps taken to put in place an Africa-wide Capacity Building Programme in Biosafety in order to strengthen the abilities of Member States deal with Biosafety issues and to ensure sustainability of the programme.”* The Commission, in collaboration with the Ethiopian Environment Protection Authority (EEPA) and a group of Experts involved in the negotiations of the Cartagena Protocol on Biosafety, finalised a Programme on Africa-Wide Capacity Building in Biosafety and submitted a project proposal to the GTZ, the German Technical Cooperation Agency for consideration for funding, given its earlier interest in the funding of such a programme.

#### **a) Issues addressed by the Programme**

276. The Cartagena Protocol on Biosafety (CPB) came into force on 11 September 2003. Its purpose is to set the minimum international standards to assess the risks posed by living modified organisms (LMOs) and to create effective rules on governmental decision-making on LMO approvals. The full implementation of the CPB requires a whole range of institutional and technical preconditions. Developing countries will find it difficult, or even impossible, to meet these preconditions on their own. This means that those industrialised countries which have negotiated and signed/ratified the Treaty are under obligation to support the developing countries within the frameworks of their development cooperation, as provided for under Article 22 of the Protocol.

277. The following activities relating to LMOs are not explicitly or fully covered by the CPB and need to be regulated additionally in national Biosafety systems such as: Domestic development of LMOs; contained use of LMOs; approval of deliberate releases; approval of LMOs and their products for food and feed; as well as labelling of LMOs and their products for food and feed.

278. Being aware of the challenges of implementing the CPB and the existing gaps, the AU Commission decided to develop a regional programme to support Member States in matters of Biosafety in Biotechnology. The programme will enable the AU Commission to assist Member States to implement the CPB and fill-in the gaps, taking into account the sovereign rights of States to regulate LMOs, but also taking into account their other relevant international obligations.

#### **b) The need for Capacity-Building in Biosafety**

279. Article 22 of the CPB dealing with Capacity-Building made it mandatory to parties to “cooperate in the development and/or strengthening of human resources and institutional capacities in Biosafety, including Biotechnology to the extent that it required for Biosafety, for the purpose of the effective implementation of this Protocol”. Both human resources and institutional capacities are essential in the area of Biosafety owing to the complexity and novelty of the problems that arise when attempting to protect life and the environment from the risks associated with modern Biotechnology.

280. It is important to acquire in Africa, the requisite capacity for:

- a) testing and identifying all types of GMO for implementing, monitoring and regulating their use;
- b) studying the life cycles of the species of GMO as well as the Biodiversity (genetic, species and ecosystem diversity) in the territories of the Party and their implication for ecological information and the management of risks to Biodiversity and to human health;
- c) the design and creation of databases and their management so as to satisfy the users of the various types of Biosafety information;
- d) the formulation, review and revision of environmental law (required for the whole Protocol); and
- e) analysing of the socio-economic implications of the impacts of GMOs on the society and economy of the Party.

281. The Commission of the African Union recently signed a Project Agreement with the Government of the Federal Republic of Germany. A request has been made to the later for the finalisation of the Financing Agreement for it to be signed between the two parties and therefore for the funds to be made available for the start of the project, during the second half of the year 2004.

#### **RECOMMENDATIONS:**

282. There is need for Member States to show more interest in the ongoing discussions to produce and circulate LMOs and GMOs and to be vigilant if they do not want to become a dumping-ground for all such unwanted items produced in the developed world; such dumping actions are conducted under the pretext of *“food assistance to alleviate poverty”*.

283. Council’s attention is drawn to the fact that, before the requisite skills are developed within the Continent, some transitional measures would need to be taken including adopting a moratorium on import and movement of LMOs and GMOs into Member States. It is with that in view that arrangements will continue for the convening before the end of 2004 of an Experts/Civil Society Organisations meeting as directed by Council, with the view to proposing an interim arrangement that will allow Africa to speak with one voice as far as LMOs and GMOs adoption and management are concerned.

284. Africa does not refuse adoption and management of new Biotechnologies, maybe she needed them more than other Continents, but the transfer and import of such technologies and their products will have to be done in a safer manner for her population and environment and with the full capacity in place for their management.

## 17. LEGAL MATTERS

### **OAU/AU Treaties**

285. The Commission has initiated a “signing week” held from 3 to 10 December 2003, under the theme “The contribution of the AU Treaties to the development of the Rule of Law.” which was highly successful. During the period 1st to 31st December 2003, thirteen (13) instruments of ratification to the AU treaties were deposited while one hundred and fifteen (115) signatures were appended to various AU treaties. Taking into account the remarkable response from Member States in this regard, the Commission intends to retain the “signing week” as an annual event.

286. In a related development, a new and advanced database system was also developed which allows the Commission to easily compile and generate status lists for each treaty, as well as specific status lists for each Member State. The system also allows access of different configurations of information. Additionally, it is now possible to access the status lists of OAU/AU treaties on the AU Web Site, [www.africa-union.org](http://www.africa-union.org) or [www.afrique-union.org](http://www.afrique-union.org), which has greatly reduced the amount of time taken up in correspondence with interested parties and stakeholders.

287. Council may wish to take note of the fact that whilst all Member States have made considerable efforts to sign and ratify AU treaties especially the five (5) treaties adopted in Maputo, Mozambique in July 2003, others have made commendable efforts. For example, the Union of Comoros deposited in April 2004, instruments of ratification or accession to sixteen (16) OAU/AU treaties. The Union of the Comoros should be commended and other Member States may wish to emulate this example.

### **Review of OAU Treaties**

288. Council will recall that during the 71<sup>st</sup> Ordinary Session of the Council of Ministers held in Addis Ababa, Ethiopia from 6 to 10 March 2000, it recognised by decision CM/Dec.511 (LXXI), “the need for a systematic review of all OAU Treaties with a view to establishing their relevance and to identify those that require to be updated or cancelled and identifying areas requiring the conclusion of new Treaties”. At this session, Council will be considering the recommendations of the Permanent Representatives’ Committee on the meeting of experts on the review of OAU/AU Treaties which was held in Addis Ababa from 18 to 20 May 2004. The ad-hoc manner in which issues relating to review and up-dating of treaties and conclusion of new ones has led me to propose in the Strategic Framework the establishment of an AU commission on International Law. Such a body would be composed of experts from Member States and would operate as a think tank in terms of advising on areas for review of existing treaties, examining international legal developments and advising on areas for conclusion of new treaties.

## 18. PERMANENT MISSION IN BRUSSELS

289. During the period from January to July 2004, the Permanent Mission of the African Union in Brussels buckled down to implement its programme of activities for the 2004 budget year. The bulk of these activities were therefore carried out within the framework

of the monitoring and participation of the Mission in the activities of the following institutions: the Group of African, Caribbean and Pacific States (ACP), for the implementation of the AC-EU Cotonou Partnership Agreement; the joint ACP-EU institutions (Council of Ministers, Committee of Ambassadors, Joint Parliamentary Assembly, etc); the Group of African Ambassadors in Brussels; the European institutions (Council of Ministers, Commission, Parliament, etc); civil society associations, including the African Diaspora and academic and research communities, etc.

290. These activities revolved mainly around the following areas: political and diplomatic issues, as well as economic and trade issues.

### **POLITICAL AND DIPLOMATIC ISSUES**

291. The main activity in which the Mission participated during the period under review is undoubtedly the working visit of the Chairperson of the African Union Commission to the European Commission in Brussels, accompanied by a strong delegation of virtually all the departments of the African Commission. This visit, presented as informal meeting between the two Commissions, proved to be particularly fruitful for the African Commission which seized the opportunity to familiarize itself with the working methods and functioning of its European counterpart. Indeed, in addition to bilateral talks between the African and the European Commissions, a working session brought together the two Commissions for a lengthy exchange of views on issues of common interest, relating to African as well as international current events.

292. Many opportunities for cooperation, or even partnership between the EU and the AU were mentioned on this occasion, topmost among which was the ways and means of ensuring security, stability and peace in Africa. The two sides discussed the release of the 250 million Euro package establishing the «Peace Support Operation Facility for Africa» recently adopted by the EU, pursuant to decisions Assembly/AU/Dec.21(II) of the 2<sup>nd</sup> African Union Summit in Maputo.

293. Furthermore, in the margins of this working visit, the AU Commissioner for Peace and Security honoured the invitation of the current EU chair to brief the European Union Peace and Security Committee (COPS) on the AU, its institutions and their functioning. Since the COPS expressed greater interest in the African Union Peace and Security Council, the AU Commissioner expatiated the latter. He also highlighted the major interest the EU and the AU had in forging a solid partnership between them in this highly strategic area of peace and security.

294. Among other things, the two sides touched on the follow-up on the political dialogue between Europe and Africa as established within the framework of the Africa-Europe Summit, the Economic Partnership Agreement (EPAs) negotiations between the Group of African, Caribbean and Pacific States (ACP) and the EU, and the implementation of the Cairo Plan of Action, adopted by the Africa-Europe Summit, etc.

295. This working visit by the AU Commission to its European counterpart was highly appreciated in the European community; it made it possible to dispel some of the EU's misgivings about the objectives and above all, the institutional means with which the AU has endowed itself so as to enable Africa to assume its rightful role in the ongoing globalization. It would therefore be advisable to have more of such contacts, which

would no doubt contribute to building trust between the two institutions and thereby strengthen cooperation and working relations between them.

### ECONOMIC AND TRADE ISSUES

296. Pursuant to Declaration Asembly/AU/Decl.5 (II) and as part of the implementation thereof, the Mission continued to follow developments in the ACP-EU Economic Partnership Agreement (EPA) negotiations, as provided for under the ACP-EU Cotonou Partnership Agreement. Indeed, these negotiations which began in September 2002, was conducted in two phases. Phase I, which lasted from September 2002 to September 2003, was carried out at an «all ACP»-EU level. It addressed horizontal issues of interest to all the parties. Phase II started in October 2003 and is expected to be carried out at the level of ACP countries and regions.

297. This phase effectively took off on 4 and 6 October 2003 with the launching of negotiations in Brazzaville, then in Cotonou, for an EPA between the Central African region and the EU, and the West African region and the EU respectively. For the Eastern and Southern African regions grouped in an EPA with the EU, negotiations were launched on 2 February 2004 in Mauritius. As for the group called the SADC 8, it was decided to launch negotiations for an EPA with the EU on 8 July 2004, in Gaborone, Botswana. The geographical configuration of the four EPAs that Africa has decided to sign with the EU is as follows:

- a) Central Africa: CEMAC Member States (Cameroon, Congo, Gabon, Equatorial Guinea, Central African Republic, Chad) and Sao Tomé and Príncipe.
- b) West Africa: ECOWAS Member States (Bénin, Burkina Faso, Cape Verde, Côte d'Ivoire, The Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Niger, Senegal, Sierra Leone, Togo) and Mauritania.
- c) East and Southern Africa: Burundi, The Comoros, Djibouti, Eritrea, Ethiopia, Kenya, Madagascar, Malawi, Mauritius, Democratic Republic of Congo, Rwanda, Seychelles, The Sudan, Uganda, Zambia and Zimbabwe.
- d) SADC 8: Angola, Botswana, Lesotho, Mozambique, Namibia, Tanzania, Swaziland and South Africa (observer).

298. It should be noted that as these negotiations progressed, fundamental divergences came to light on the very concept of these EPAs. Indeed, while for African countries the EPAs should constitute development and economic integration levers, for the EU they should focus essentially on the modalities of promoting trade.

299. The position of the ACP Group is based on the imperative need to articulate the EPAs around possible ways and means of ensuring sustainable development for African countries, rather than focusing on trade. In other words, EPAs should be development tools to establish a regional market, a necessary step to promote the smooth and gradual integration of African economies in the global economy. Consequently, they should promote the establishment of an African common market as provided for in the Abuja Treaty, thus contributing to building the African Union.

300. To this end, the ACP Group calls for substantial financial resources to be mobilised to ensure the funding of macro-economic adjustments and updating of the production mechanism, during the EPA preparatory period (2003-2007) as well as the implementation period (2008-2020). The EU is proving to be rather reticent vis à vis this position.

301. During Phase II of the negotiations, the ACP Group intends to raise the following issues, under accompanying measures, with a view to making use of the EPAs to promote regional integration within the ACP regions, particularly in Africa:

h)g) development of sustainable trade approach (goods and services), and of production capacity in a regional framework;

h)h) improvement of existing infrastructure (physical and institutional);

h)i) support to structural economic investment at regional level;

h)j) improvement and strengthening of infrastructure, promotion of (small) competitive industries and support to rural development, etc.

h)k) protection of the Lomé/Cotonou gains and the advantages of the protocols on banana, sugar, beef, etc.

302. In order to better support the positions thus advocated by the ACP Group and to ensure better coordination of the positions of the four African regions engaged in these negotiations, the African Group of Ambassadors in Brussels calls on the AU Commission to:

- a) campaign for the representation of the African Union in the delegations of negotiators of the above mentioned four African regions;
- b) stress to the EU that the African Union is the only competent institution to coordinate the geographical configuration of EPAs concerning Africa;
- c) commit itself, within the framework of EPAs, to only what is required by WTO Rules;
- d) allow time for the results of the WTO negotiations.

## 19. GENEVA MISSION

303. The AU Commission, through its Representational Office in Geneva, follows on a daily basis, developments in the political, economic, social and intellectual property issues in the different institutions of the United Nations system based in Geneva, for which the African Union Commission as well as the Group of African Ambassadors accredited to Geneva and to these institutions are constantly called upon.

304. The following points were the focus of attention of the Commission and the African Community during the period under review:

## I. POLITICAL AFFAIRS

### Human Rights

305. The annual meeting of the Human Rights Commission constitutes a major event in diplomatic activity, in Geneva. It provides an opportunity for the international community to review the human rights situation in the world. The Commission comprises 53 Member States, including 15 African states. The deliberations of the Commission are monitored regularly by all UN Member States, national human rights organizations and NGOs. Priority is given to the participation of NGOs in the deliberations of the Commission with a view to assisting States to ensure the protection and promotion of human rights. The Executive Secretariat represents the African Union Commission in these deliberations in accordance with the Constitutive Act of the Union. In its interventions in these deliberations, the Executive Secretariat underscores the vision of NEPAD concerning good governance, democracy and the rule of law as conditions for expressing human rights. It also highlights the will of the AU to deploy all efforts through its Commission on Human and Peoples' Rights to ensure to Africans the availability and accessibility of an African mechanism for human rights. The Executive Secretariat also provides logistical and technical support to the African Group in Geneva by proposing the use of group positions in matters of common interest. In this regard, the 60<sup>th</sup> Session of the Commission which was recently held in Geneva was an opportunity, once again, to enable Africa to present itself as a united bloc, to ward off the attacks, which in the guise of human rights, are actually politically motivated. The case of Zimbabwe is in this regard, quite edifying, in the sense that this country is attacked by the Western bloc spearheaded by Great Britain for various bilateral policies that are well known. However, there is still a need for Africa to operationalize the commitments made within the NEPAD framework and show the world that the Continent can develop human rights without succumbing to threats and pressure.

### The Issue of Refugees and Displaced Persons

306. This issue remains one of Africa's major concerns, in view of the increasing number in this category. Direct victims of conflicts in Africa, refugees and displaced persons constitute an ever-increasing population; their lives are disrupted by the developments related to underlying causes to which more often than not lasting solutions cannot be found.

307. The High Commission for Refugees organized on 8-9 March 2004, a dialogue on «voluntary repatriation and lasting reintegration in Africa». This event constituted a unique forum for the different players in the refugee world. Participants highlighted the context conducive to conflict resolution in Africa and the trend of refugees and displaced persons returning to their countries of origin, and called on the international community to support this trend by concrete actions to establish lasting peace and implement voluntary repatriation. The following were points of consensus:

- a) Conflict prevention, early warning and resolution require a multidisciplinary and regional approach by African States with the backing and experience of the African Union, sub-regional organizations and the UN;
- b) The need to resolve problems linked to disarmament, mobilization,

- reintegration and rehabilitation of former combatants to prevent the return of violence;
- c) Ensuring assistance to civilians who have suffered the consequences of war in order to achieve effective reconciliation;
  - d) The need to tackle the root causes of conflicts;
  - e) The socio-economic reintegration of populations identified as the most delicate phase of any peace process;
  - f) The establishment of global peace and security in the return zones considered as a *sine qua non* condition for making voluntary repatriation a reality;
  - g) Encouraging the spontaneous repatriation of refugees;
  - h) The intrinsic link between States controlling the reintegration process and its viability;
  - i) The key role of the civil society in the reintegration process;
  - j) Recognition of NEPAD as a solid foundation on which to build political stability, economic growth, sustainable development and accelerated regional integration on the Continent;
  - k) Follow-up on the dialogue on voluntary repatriation and lasting reintegration in Africa.

308. The participation and contribution of the Commissioner for Political Affairs was welcomed by the High Commissioner for Refugees and participants, and the ideas developed in his statement served as the basis for reflection by participants.

### **Migration Issues**

309. At the beginning of major migratory movements, Africa exported mainly physical labour in basic infrastructure and mines. Today, in addition, it is faced with the phenomenon of illegal migration and brain drain. On the latter issue, the Continent is being literally bled, with its human resources trained through State funds leaving for developed countries that have not contributed a cent to their training.

310. The decision of the African Union to consider the African Diaspora as a player that can contribute by various means to the development of African countries ushers in a new era, with Africa taking charge of its own destiny, with its own means. Indeed, many African executives regrouped in associations in Europe or in America have expressed interest and willingness, if of course the conditions are established, to start investing in their countries of origin, participate in the transfer of technologies acquired in the West, and other forms of contribution. Within the framework of a seminar organized by IMO in November 2004 on the theme «*International Dialogue on Migration in 2004*», the Executive Secretariat intends to contribute significantly to developing its relations with the

IMO on the basis mainly of the «Strategic Framework for an Integrated Migration Policy in Africa» which was recently adopted by the Labour and Social Affairs Commission meeting in Cotonou in April 2004.

311. Concerning the candidature of Mrs. Ndioro Ndiaye for a second term to the post of Deputy Director General of the IMO, and at the time of preparing this report, the outlook is positive, despite another candidature from Guatemala. The African Group in Geneva has set up a Campaign Committee chaired by the Ambassador of Mauritania in his capacity as Chairperson of the Candidatures Committee in Geneva, and also including the Ambassador of Algeria in his capacity as Coordinator of the African Group in the IMO, and the Ambassador of Senegal.

## **II. ECONOMIC AFFAIRS**

### **At the Level of UNCTAD**

312. The Commission, through the Geneva office, worked with the AU Member States in order to ensure that Africa's specific development problems are addressed in the work programme of the UNCTAD secretariat and its intergovernmental machinery. In the period under consideration the work of UNCTAD has been mainly on the preparatory process for the eleventh session of the United Nations Conference on Trade and Development which takes place every four years.

313. The Preparatory Committee (Prep-Com) for the Eleventh Session of the UN Conference on Trade and Development (UNCTAD XI) was established by the 50<sup>th</sup> Session of the Trade and Development Board, which was held on 6-17 October 2003. The Conference is scheduled to take place in Sao Paulo, Brazil from 13 to 18 June 2004. The theme of the Conference is "Enhancing Coherence between National Development Strategies and Global Economic Processes towards Economic Growth and Development, particularly of Developing Countries".

314. The participation of the African Union and its Member States in the preparatory process for UNCTAD XI is crucial as the Conference is expected to reinvigorate the stalled multilateral negotiations. Indeed, it behoves all to ensure that UNCTAD is revitalized in order to ensure that it assists developing countries to better understand the issues in the international economic and trade agenda, through research and policy analysis.

315. On behalf of the Commission, the AU Geneva Office has worked closely with the delegations of the Member States in Geneva in order to advance Africa's interests in the work of UNCTAD. Moreover, it is worth noting that a number of African countries are the main beneficiaries of the technical cooperation programmes of this organization.

## **III. LABOUR AND SOCIAL AFFAIRS, INTELLECTUAL PROPERTY AND COMMUNICATION**

### **Labour Issues discussed in ILO**

316. In its relations with the International Labour Organizations, the Commission and its Executive Secretariat in Geneva focused their activities on the recommendations

adopted by the Labour and Social Affairs Commission (LSAC) and endorsed by the Assembly of Heads of State and Government of the African Union (AU).

317. During the period under consideration, a series of briefings were initiated between the African Group in Geneva and ILO officials on the most preoccupying issues in the area of labour and I view of the principle targets of the of the ILO and the AU. In this context, a meeting was held on 30 January 2004 between the African Group at Ambassadorial level and the Director General of the ILO. This meeting provided an opportunity for an exchange focusing mainly on: tripartism and its advancement in Africa thanks to the efforts deployed by the AU Labour and Social Affairs Commission; preparation of the AU Extraordinary Summit on the Promotion of Employment and Poverty Alleviation slated for Ouagadougou, Burkina Faso in September 2004; the status of progress of the deliberations of the Commission on the social dimension of globalization; the 289<sup>th</sup> Session of the Governing Board (March 2004) and the 92<sup>nd</sup> International Labour Conference (June 2004). It also made it possible to exchange views on the goals to be attained by the Summit on Employment and Poverty, the best strategy for combating the spread of the HIV/AIDS pandemic in the work place, the problems of migration for employment confronted with the temptation to erect barriers on the borders to curb the flow, the role of international financial institutions with regard to employment promotion and poverty reduction strategies, etc. Members of the African Group took this opportunity to make proposals on increasing ILO cooperation and assistance, particularly in terms of support to specific national projects.

318. During the same period, a crucial meeting, namely the 289<sup>th</sup> Session of the ILO Governing Board was held from 22 to 26 March 2004. As is the tradition, it was preceded by the deliberations of the Technical Commissions. A detailed report on this session was already submitted to the Annual Meeting of the AU Labour and Social Affairs Commission held in Cotonou, Bénin, in April 2004.

### **Health Issues**

319. The decisions and recommendations of African Ministers of Health and the different special summits guide the actions of the Commission in the area of health. Among these decisions and recommendations, the most recent are contained in the 2000 Abuja Declaration and Plan of Action to Roll-Back Malaria, the 2001 Abuja Declaration and Plan of Action on HIV/AIDS, Tuberculosis and Other Related Infectious Diseases, the 2003 Maputo Declaration on the Eradication of Polio, the AU/NEPAD Health Strategy and the Millennium Declaration for Development.

320. Consequently, a meeting between the Group of African Ambassadors and the Director General of WHO took place on 7 May 2004 at the AU Office. It made it possible to review the new strategies put in place to improve health in the world, particularly in Africa, namely, the plans and programmes to combat the major pandemics ravaging Africa such as HIV/AIDS, Malaria, Tuberculosis, Poliomyelitis, etc. This meeting also facilitated a fruitful exchange of views on the use of new mechanisms to combat these scourges, particularly the Global Fund «GF» and the Global Alliance for Vaccines and Immunization (GAVI). Since its inception only two years ago, the GF has already raised over US\$5,5 billion and released just over 2 billion, 60% of which was for Africa. As for GAVI, its objective is to vaccinate and immunize all children in the world, thereby saving the lives of 3 million people per year, and Africa is the principal beneficiary.

321. A special meeting of African Ministers of Health was held in Geneva on 14-15 May 2004. This meeting, organized in partnership with WHO, the Global Fund against HIV/AIDS (GL), Malaria and Tuberculosis, and the Global Alliance for Vaccines and Immunization (GAVI), considered the monitoring of the implementation of commitments to control HIV/AIDS, Malaria, Tuberculosis and Other Related Infectious Diseases. It adopted a Declaration on the strategies for the implementation of the Abuja and Maputo Declarations.

### **World Summit on Information Society**

322. Communication and information constitute essential links in development. The adoption by the United Nations of the decision to convene a World Summit on Information Society was backed by AU Member States, of which one of its members, Tunisia, offered to host the Second Phase which will take place in 2005.

323. Since the end of the First Phase of the World Summit on Information Society, the Coordinator of the African Group in this area, with the logistic support of the Executive Secretariat, kept members of the African Group abreast of developments in the preparations for the Second Phase. This information indicated that the first meeting of the Preparatory Committee « PrepCom» would be held from 24 to 26 June 2004 in Hammamet, Tunisia.

## **20. NEW YORK OFFICE**

### **Political Matters**

324. Under political matters, the Commission implemented programmes involving the coordination of the activities of the African Group, election of African candidates for post in UN organs/bodies, coordination and monitoring of African common positions in political and humanitarian law, peace and security, strategic analysis and support, strategic security issues, and monitoring of the United Nations General Assembly.

325. The Commission coordinated the activities of the African Group through advisory support to the Chairman of the African Group for each month, and worked with the different Expert Groups of the African Group in drafting of statements and positions papers for the Group on some key areas including the following:

- a) On the strategy and modalities for the implementation of the further rationalization of the network of United Nations Information Centers, the African Group maintained the position that rationalization of the UN Information Centers should not replicate the European model of having one hub for the whole continent due to the different prevailing conditions in Africa. The Group maintained that the revitalization should be based on the Sub-regions that Africa and the African Union have adopted and not one regional hub.
- b) On the “Reform of the Security Council”, the African Group maintained Africa’s position as expressed in the Harare Declaration.

- c) On the “Revitalization of the General Assembly”, the African Group established a Working Group that would elaborate an African common position.
- d) Preparation for the 59<sup>th</sup> session of the General Assembly through the strengthening of the African Group of Experts of the 6 Main Committees of the United Nations. The Observer Mission coordinates these Committees and serves as the Secretariat of the Experts providing technical and logistical support.

326. The reform of the Security Council continues to elude solution. The regions cannot agree on the size and composition of the Council as well as the desirability of maintaining the veto power. Also, the rationalization of the work of the General Assembly into two periods is receiving mixed responses, as there are doubts and fears that it could lead to the suppression of certain agenda items that are vital to the developing countries including those in Africa.

327. It is suggested that Africa’s position on the reform of the Security Council as articulated in the Harare Declaration, should be reviewed in the light of views expressed by other Regions on the central reform issues. The dynamic nature of debate on this matter suggests that such a review should show flexibility while not compromising the interest of Africa on the fundamental reform questions. The revised draft should afford African Group the flexibility in negotiations.

### **Election of African Candidates to Posts in UN Organs and Bodies**

328. The African Group was again faced with the challenge of lack of consensus over the recommendation of the Candidatures Committee regarding one seat to be filled in the Security Council for East Africa Region. During consideration of the report of the Candidatures Committee by the African Group, three Member States maintained their respective candidatures for the one seat, allocated to East Africa despite the fact that the Candidatures Committee had recommended only one country for the single seat from amongst the four based on the technical application of its Rules and Procedures and objective criteria. This is a serious matter that needs to be addressed by the Ministerial Standing Nominating Committee in order to avoid divisions during elections.

329. In the fields of political and international humanitarian law, the Commission facilitated coordination of the African Group in the negotiations on the African Group-initiated draft resolution in implementation of the AU decision on the Commemoration of April 7 as the International Day of Reflection on the 1994 Genocide in Rwanda.

330. One important outcome in this regard was illustrated in the adoption of General Assembly Resolution A/58/1.55 in December 2003 by consensus leading to the observation by the General Assembly of April 7 (coinciding with the Tenth Anniversary) as the International Day of Reflection.

### **Peace and Security**

331. On peace and security programmes, the Commission worked with the African members of the Security Council to ensure the implementation of the decisions and resolutions, including those of the newly established Peace and Security Council of the African Union. It undertook consultations with relevant partners in the UN system as well as the EU to exchange views on support to AU efforts in conflict management and resolution.

332. Some of the challenges that continue to confront Africa within the Security Council, relate to the slow response of the Council on African issues, timely and adequate support for the implementation of resolutions and decisions. These need to be raised at and addressed by the Council, particularly, through engagement with the five permanent members of the Council.

333. In addition to the Security Council, issues of disarmament and counter-terrorism are also monitored in the First and Sixth Committees of the UN General Assembly, respectively. The impact of UN actions in both areas in Africa is very modest. There is need to harmonize some of the important resolutions adopted on all these issues with the decisions and follow-up action taken by the AU and its Member States.

334. On its part, the General Assembly has decided by Resolution A/58/L.8/Rev.1 adopted on 6 May, 2004, to convene in 2005, at the beginning of the Sixtieth Session of the Assembly, a High Level Plenary at the level of Heads of State. The date is to be decided on by the 59<sup>th</sup> Session.

335. This review Summit will focus on progress made in fulfilling the commitments contained in the UN Millennium Declaration, notably, implementation of the outcomes and commitments of major UN Conferences and Summits in the economic, social and related fields. The format and organization of work for the envisaged Summit shall also be considered under an African Presidency of the General Assembly, which will be the Republic of Gabon.

336. Also during the 59<sup>th</sup> Session of the UNGA, the report of the High Level Panel established by the UN Secretary-General in 2003, to review the new global challenges and threats to peace and security shall be considered. This initiative was taken in the context of promoting the commitments of the Millennium Declaration relating to "Common Security Agenda".

### **Economic and Social Matters**

337. The Observer Commission coordinated the African Group in economic and social matters at the United Nations, participated in UN meetings and conferences and provided technical support to the meetings of the African Expert Group of the Second and Third Committees.

### **Commission on Sustainable Development**

338. The twelfth session of the CSD (CSD12) considered the thematic cluster of water, sanitation and human settlements in accordance with the multi-year work programme of the Commission. CSD12 was mandated to focus on progress made, obstacles and constraints facing countries in the implementation of the three areas and on identifying possible approaches and best practices to enhance implementation.

339. On the whole, CSD12 underscored the commendable efforts, including best practices, undertaken in some countries for improving the provision of services in these areas. It was noted that Africa is lagging behind in many respects. Without sustained interventions, it is clear that African countries will have difficulty in meeting the commitments they undertook in Agenda 21, the Johannesburg Plan of Implementation, the Habitat Agenda as well as the Millennium Development Goals. Despite their best efforts, African countries still require enhanced international cooperation and improved provision of the means of implementation in order to meet their commitments and development objectives.

340. The High-level segment of CSD12 emphasized on the need for creating an enabling environment for meeting the targets within the three clusters. This would include bridging the gaps in technology through capacity building and transfer of technology, creating strong institutions and promoting good governance and considering innovative ways of financing development including increasing ODA.

**Economic and Social Council, special high-level meeting with the Bretton Woods institutions and the World Trade Organization, 26 April 2004**

341. The discussions aimed at the enhancement of cooperation between Economic and Social Council, Bretton Woods institutions and World Trade Organization to harmonize global development strategies. The implementation of the Monterrey Consensus of the International Conference on financing Development was central to these strategies. The focus this year on three interrelated issues (i) the impact of private investment and trade-related issues on financing for development, (ii) the role of multilateral institutions in reaching the Millennium Development Goals, and (iii) debt sustainability and debt relief.

342. At the conclusion of the meeting, it was obvious that the international community would need to increase commitments to enable developing countries, especially those in Africa attain development goal targets, the Millennium Development Goals and the targets of the Brussels Programme of Action. It was noted that developing countries have taken actions in the field of good governance and public finance management, which are essential building blocks for enabling environment for the mobilization of domestic and foreign resources. It was underscored that development targets cannot be reached unless there was an increase in resources. Emphasis was placed on the relevance of Poverty Reduction Strategy Papers (PRSPs) for development. As in CSD 12, other important elements highlighted for development include, capacity building, strengthening national institutions, participation of the civil society and private sector, and the empowerment of women.

343. The paucity of resources was a major challenge to the promotion of sustainable development. The goals of development could only be reached through additional flow of

new resources. But such support has not been forthcoming because of the commitment of development partners to other emergency issues elsewhere in the world.

344. The High-level meeting of the ECOSOC, Bretton Woods institutions and World Trade Organization recognized the actions taken by developing countries, especially those in Africa in substantial progress made in the creation of the environment for development. The meeting noted the promotion of democracy, good governance and sound macroeconomic policies that should be effectively supported by the development partners if these countries are to attain development goals. But there were no innovative strategies to address the impasse of private investment and trade-related issues and external debt sustainability that are vital towards resource flows for development in Africa.

345. It is recommended that since CSD13 will be a policy year, more efforts should be focused on ensuring that these needs are reflected in the AU policy framework. Since the challenges in water, sanitation and human settlement have been identified in CSD12, it will be critical that African Member states focus on issues of capacity building, technology transfer and international cooperation. Since NEPAD is the adopted framework by the United Nations for channeling international support, focus should be on additional resources for the implementation of NEPAD action Plans in these key areas.

#### **Meetings of the African Group of Experts on Economic and Social Matters**

346. The Commission therefore provided technical and administrative services to the experts of the Second and Third Committee in their monitoring of Economic and Social issues, respectively, at the United Nations. It also oversaw the successful elections of the coordinating bureaus of the two African Expert Groups.

347. The Experts on Economic Matters developed position papers and resolutions presented during the meetings and conferences of the United Nations held within the period of January-May 2004. The major focus for the African Group of Experts on Economic matters during this period included: sustainable development, external debt, forests, population and development. The most outstanding participation of the Experts on Economic matters was the solidarity of African countries during the Commission on Sustainable Development.

348. The Experts on the Social Matters developed position papers and resolutions for the meetings and conferences at the United Nations. The thematic focus for the Third committee during this period was on the status of women, indigenous issues, social development, people with disabilities and human rights. The coordination of the African Group of Experts of the Third committee ensured active participation of the Group especially during the Commission on the Status of Women where Africa made immense contributions to the Agreed Conclusions and some adopted Resolutions.

#### **21. LILONGWE OFFICE**

349. The Lilongwe Office was opened as a first experiment with the mandate to represent the AU in the Southern Region. If this experience was successful, it was expected to expand it to other regions. During the period under review, the Office was involved in the various activities such as migration, food security and youth.

**a) Migration and Development in the SADC Region**

350. Comparative studies by the International Labour Organization have recently confirmed that Africa exports the largest number of highly educated migrants and that this has adversely affected economic growth and undermined the development efforts of African countries. The SADC region has not been spared from this trauma. Factors identified as contributing to migration include political instability, bad governance, under-development, inadequate education and employment facilities, among others. The major solution is adoption and implementation of good social, political and economic policies which would result in improvement in economic performance and infrastructure development.

351. Migration within the SADC region is seen as a positive contribution to development in the region as remittances circulate within the region. The sad picture is where the region and Africa as a whole have lost and keep losing expertise. This has especially been critical in the medical field.

352. It is in this context that the question of migration should be seriously addressed, including the question of reparation or compensatory measures by beneficiary countries.

353. The migration and development issues were exhaustively discussed during a workshop and following recommendations have been made:

- i) There is need to mitigate the root causes of migration;
- ii) There is need for higher or greater political will and commitment of member states to develop their economies;
- iii) Africa must reverse the trend of losing billions of dollars invested in human resource training, which skills are lost due to migration to the west. Governments were urged to engage in dialogue with the international community and solicit support for programmes and initiatives aimed at minimizing the negative impact that the recruitment of skilled Africans has on the country of origin;
- iv) Governments should compile an inventory of the skills of their nationals abroad which will form the basis for developing strategies and policy frameworks to encourage and promote the return and continued contributions of Africans in the Diaspora.

**b) Enhancing Food Security in Southern Africa**

354. This is an on-going programme for the Regional Office, following last year's successful hosting of the regional irrigation farming workshop by the African Union, in collaboration with SADC, NEPAD and the European Union. Southern Africa is still a region in crisis in terms of poverty levels and food deficits. It is estimated that the region requires 25 million metric tonnes of food to feed its approximately 176 million inhabitants, yet the total cereal production for the region is only 22 million metric tonnes. The just ended 2003/2004 cropping season has been disappointing with erratic, insufficient and

sporadic rainfall which has resulted in crop failure. This has compounded the food crisis, not to mention the adverse impact on the HIV/AIDS pandemic. The whole scenario calls for strong strategic interventions that will not only address the chronic roots of the crisis but bring about concrete changes that will positively affect the lives of the people.

355. The Lilongwe Office was in February 2004 approached by the National Food Reserve Agency and the World Bank to join with other stakeholders, including the European Union, FAO and the Ministry of Agriculture, Irrigation and Food Security to address the food crisis and related issues. The office together with the stakeholders, is now working on a project entitled "*Strengthening National and Regional Capacity to Address Food Emergency in Southern Africa*". The project is a direct follow-up to the Sirte Declaration of 27<sup>th</sup> February 2004 whereby the Heads of State and Government of the African Union resolved to remove all obstacles to eradicating hunger and attaining self-sufficiency in food production. In addition, the SADC Ministers of Agriculture that same week in Dar es Salaam, agreed that strategic grain reserves be established in the region.

356. The World Bank is currently carrying out a feasibility study to set up a regional food reserve initially involving three countries namely Malawi, Tanzania and Zambia. A lot of issues are being considered, including national and regional grain capacity, the impact on regional trade and other technical issues. The report will be discussed at a regional workshop planned for September 2004 which will map up the practical way forward.

357. The regional grain reserve project needs to be supported by all stakeholders because the reserves will be an incentive for farmers to grow more food since they will be assured of a ready market for their grain. With the reserves, it will also mean there will always be immediately available grain for sale to food-deficit countries. This will also bring to an end the practice of having to import maize from as far away markets as the USA and Europe.

### **c) SADC Youth Empowerment Programme**

358. The Youth Empowerment Programme is based on the conviction that the youth of Africa are a powerful force, and the strength and future of any nation that have a special role to play in the economic emancipation of Africa. It is important therefore that the youth are encouraged, assisted and empowered to participate more actively in Africa's political, economic and democratic processes.

359. It is with the above conviction that the Lilongwe Office has been engaged in constructive dialogue with various youth groups. The youth were demonstrating a collective will to take up the challenge of contributing in meaningful and concrete ways to the sustainable development of Africa. In so doing they have shown a genuine desire for empowerment through training. The regional office is supporting a training programme for the youth in the region known as "*Peak Performance*", in collaboration with UNDP and UNESCO.

360. The Peak Performance training programme appropriately focuses on the youth and is designed to make them develop a positive and forward-looking attitude towards everything they do. Peak Performance is all about a positive perception of self, self-

confidence, determination and will power to manage and achieve regardless of circumstances. It is highly recommended therefore that this training be extended to all the youth throughout the continent.

## **22. PROMOTION OF LINGUISTIC AND HISTORICAL STUDIES BY ORAL TRADITION**

361. Within the framework of the new Vision and Missions of the African Union, the Commission, through its Centre for Linguistic and Historical Studies by Oral Tradition (CELHTO) is mandated to broaden its scope of action well beyond the collection of oral traditions and the promotion of African languages, to include all aspects of African cultures in their richness, diversity and convergences. Consequently, the objectives of the new CELHTO will be firstly the protection, sustainable conservation and promotion of acquired knowledge, and secondly, opening up new perspectives in response to the new requirements and needs of the Union.

362. In discharging the new mandate of the Commission in the areas of oral tradition management, development of African languages and management of cultural heritages, the Commission intends to play a key role in CELHTO through the following actions:

### **I. OPERATIONALIZATION OF THE STEERING COMMITTEE**

363. Established within the framework of the new organizational and administrative structure of CELHTO, the Steering Committee will be the trustee instrument of the Commission of the African Union for this Office; it should meet in an ordinary session once a year. The Inaugural Session is scheduled to hold in October 2004.

364. This first session will critically analyse the following three items: (a) Review of the Activities of the Office to date; (b) the best means of disseminating the components of the ARTO (*Audio Archives and Documentary Resources of Oral Tradition in Africa*) Digital Databank Project and the NOREA (*Digitalization of Recorded Oral Tradition in Africa*) and facilitate their educational use for African schoolchildren; (c) lastly, the best way of disseminating the new Vision of the AU to African researchers.

### **II. DRAFT KURUKAN FUGA CHARTER**

365. The meeting on the Draft «*Kurukan Fuga Charter*» will be held in Bamako, Mali in July 2004. The choice of the date corresponds to the period when the participants selected will be free from their professional commitments. Six years ago, the Office participated in Kankan (Guinea), in the compilation of a version of the «*Kurukan Fuga Charter*». The interest of the Bamako meeting resides in the comparison of existing versions, considering the best way to ensure their dissemination and even giving the necessary visibility for their educational, artistic or literary use. The «*Kurukan Fuga Charter*» is the first know documents on the organization of the city in West Africa. The compilation of this document, beyond its real linguistic value (promotion of African languages), will contribute to deepening reflection on traditional mediation in African conflict prevention and management.

### **III. JOINT PROJECTS, FIELD RESEARCH**

366. Two actions have already been carried out:

- a) Support to the inter-university research group «Literature, Gender and Development», meeting on the theme «Women write about Africa», headquartered in the Faculty of Arts and Social Sciences of the A. Moumouni University of Niamey. This group, which has carried out studies on great mythological figures in Africa, will soon be finalizing its work with the publication of an Anthology of Oral Texts.
- b) As part of the implementation of projects to reflect on modalities for using the components of our digital databank ARTO and NOREA, a mission headed by the President of the International Agency for Production and Management of Cultural Industries came to Niamey for a working session. During the working session, it was agreed that 5 components would be written on CDs, which would be tested at educational level. The agreement between the Agency and the Office stipulates that progress reports on the tests should be submitted every four months.

#### **IV. COOPERATION PROGRAMME**

##### **i) Partnership with Swiss Cooperation**

367. The cooperation programme focused on projects relating to the digital databanks (ARTO and NOREA). In this regard, a partnership with the Swiss Cooperation for Development through its agent, Intermedia Consultants S.A. (Berne), was established.

368. This partnership should lead to the establishment by the AU of rural or community radio programmes. These stations will be neighbourhood radios, managed by the communities, and furthermore, they will broadcast only in African languages. They constitute excellent vehicles for the dissemination of the vision of African integration and will translate true grassroots democracy. All the more reason why they should be of interest to the AU.

##### **ii) Partnership with UNESCO**

369. Within the framework of its partnership with UNESCO, the AU, through the CELHTO Office, participates in consultations on heritage. These consultations were intensified once UNESCO included in its definition of heritage, the area of non-material, and therefore oral heritage. With regard to the General History of Africa, the versions in African languages (Kiswahili, Hausa, Fulfude) have now been published. However, it would be helpful if the AU could carry out the following, in project form:

- a) Support National Language Commissions to continue the translation of the General History of Africa into other major African languages.
- b) Formulate, from the General History of Africa, educational modules for schoolchildren. They could obviously be adapted to suit the context.

##### **iii) Partnership with AIF**

370. Cooperation with the Intergovernmental Agency of the Francophony (AIF) continued on a regular basis, particularly through the International Council of Languages that it established.

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