

AFRICAN UNION
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Addis Ababa, ETHIOPIA P. O. Box 3243 Telephone 517 700 Cables: OAU, ADDIS ABABA

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REPORT OF THE MEETING OF EXPERTS FROM
MEMBER STATES ON THE DEFINITION OF THE
AFRICAN DIASPORA

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ON THE DEFINITION OF THE AFRICAN DIASPORA**

I. INTRODUCTION

1. It would be recalled that at its Sixth Ordinary Session, held in Abuja, Nigeria, in January 2005, the Executive Council adopted decision EX.CL/Dec.173 (VI) on the Definition of the African Diaspora. In that decision, the Council, inter alia, requested “the Commission to refer the issue to a meeting of Experts from Member States for a more suitable definition.” Pursuant to that decision, the Commission of the African Union convened, in Addis Ababa, Ethiopia, from 11 to 12 April 2005, a meeting of Experts from Member States, to prepare and recommend a definition of the “African Diaspora” for consideration by the policy Organs of the Union.

II. ATTENDANCE

2. The meeting which was chaired by H.E. Ambassador Joe Keshi, Representative of the Federal Republic of Nigeria, was attended by Experts from Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Chad, Côte d'Ivoire, Egypt, Gabon, Ghana, Guinea, Lesotho, Libya, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Republic of Congo, Sahrawi Arab Republic, Senegal, Sierra Leone, South Africa, Sudan, Swaziland, Tanzania, and Zambia.

III. OPENING

3. The Opening session was chaired by Mrs. Margaret Vogt, Director of the Bureau of the Chairperson of the AU Commission. In her opening remarks, she welcomed the delegates to the meeting and informed them that the Chairperson of the Commission considered the meeting as one of the most important processes that will define the involvement of the Diaspora in the activities of the AU.

4. She informed the meeting of the launching of the Interim ECOSOCC held in Addis Ababa on 29th of March 2005 and noted that one of the concerns raised by the delegates at the launching was the inability of the Commission to complete the process that will bring the Diaspora on board. Thus, they only participated in the launching as observers.

5. Further, she drew the attention of the meeting to the fact that a definition had been submitted to the AU policy organs for consideration and adoption in Abuja, Nigeria in January 2005, but in view of the fact that the Member States had not been fully consulted and involved in the definition process, the Executive Council decided that it be referred back to a meeting of experts from Member States for a more suitable definition.

6. Finally, she urged the participants to review the content of the definition submitted by the Commission and come up with an appropriate definition, which will facilitate the involvement of the African Diaspora in the activities of the AU.

IV. ADOPTION OF THE AGENDA

7. The meeting adopted the following Agenda:

- a) Opening Remarks
- b) Adoption of the Agenda
- c) Organization of the Work
- d) Consideration of the Report on the Definition of the African Diaspora
- e) Any Other Business (AOB)
- f) Adoption of the Report
- g) Closing Remarks

V. ORGANIZATION OF WORK

8. The meeting adopted the following work programme:

- Morning: 10.00 - 13.00
- Lunch: 13.00 - 15.00
- Afternoon: 15.00 - 18.00

VI. CONSIDERATION OF THE REPORT ON THE DEFINITION OF THE AFRICAN DIASPORA (EX.CL/164 (VI))

9. In introducing the report, the Senior Co-ordinator- CSSDCA/CIDO, Dr. Jinmi Adisa, gave a brief background to the process of defining the African Diaspora. He noted that in accordance with decision Ext/EX/CL/Dec.6 (III) of the Executive Council held in Sun City, South Africa from 21 – 25 May 2003, the Commission convened a Technical Workshop of experts from the continent and the Diaspora in Trinidad and Tobago, from 2 – 4 June 2004, with a view to defining the African Diaspora.

10. The definition recommended by the meeting was presented to the Permanent Representatives Committee (PRC) in preparation for the Sixth Ordinary Session of the Executive Council from 27- 28 January 2005. However, the PRC rejected the definition on two grounds, namely: content and process. In terms of content, he indicated that some members of the PRC felt that the definition did not include the modern Diaspora and, as such, was not inclusive. In addition, others argued that the definition did not underline or mention commitment to the African cause and that it lacked adequate legal form. With regard to the process, Member States expressed the view that they had not reviewed the definition. Thus, the PRC meeting, in a resolution that was approved by the Executive Council, recommended that a meeting of Experts of Member States be convened to review and provide a more suitable definition.

11. Furthermore, he identified four main elements that should inform and guide the meeting on the definition of the African Diaspora:

- a.a) the bloodline and/or heritage. The Diaspora should consist of people living outside the continent whose ancestral roots or heritage are in Africa;

- b) migration: The Diaspora should be composed of people of African heritage, who migrated from or are living outside the continent. In this context, three trends of migration were identified—pre-slave trade, slave trade, and post-slave trade or modern migration;
- c) the principle of inclusiveness. The definition must embrace both ancient and modern Diaspora; and
- d) the commitment to the African course. The Diaspora should be people who are willing to be part of the continent (or the African family).

12. He concluded by indicating that, the definition recommended by the meeting should cover all competences required by the Amendments to the Constitutive Act as it will be difficult and perhaps illogical to seek to define the Diaspora differently for different competencies.

VII. DISCUSSION

13. In the discussion that ensued, it was stressed that the directive of the Sixth Ordinary Session of the Executive Council should guide the meeting in its approach to the subject. There was a unanimous view among the Experts on the need for an inclusive, comprehensive but precise definition, which could stand the test of time. In this context, the guidelines proposed by the Commission were accepted as a framework containing the parameters for defining the African Diaspora. Nonetheless, it was also noted that the definition proposed by the Commission, as contained in the report that was submitted to the Executive Council in Abuja, was not comprehensive enough. To this end, the meeting agreed to focus on how best to enrich the definition.

14. In light of the aforementioned, a number of definitions were proposed, among which the two hereunder were accepted to constitute the basis for in-depth reflections;

- a-a) "The African Diaspora include:
 - The peoples of African origin whose ancestors within historical memory came from Africa, but who are currently domiciled in other countries outside the continent and claim citizenship of those countries;
 - The Africans who, for various reasons, have settled outside the continent, whether or not they have kept the citizenship of an African country;
 - Within the context of a and b above, the Diaspora, in their relations with Africa, should also express their common will to contribute side by side with other citizens of Africa to the building of the African Union."
- b-b) "The Diaspora refers to:
 - all the African people living outside the continent for various reasons, who claim citizenship of those countries;

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- the role of the Diaspora in their relations with the continent is to contribute to the development of the continent and the strengthening of the African Union.”

15. During the exchange of views on the proposed definitions, the following points, among others, were emphasized:

- a) The definition should not be limited by time or history. It was noted that the reasons for migration had evolved with time and were complex to venture into any time setting;
- b) A definition on the Diaspora should resolve the problem of how the Diaspora could become the 6th region of the continent and their participation in the work of the Organs of the Union, including the ECOSOCC;

| e-d) The principle of simplicity must guide any definition on the Diaspora. In this regard, it was emphasized that a definition of the Diaspora must be simple and straightforward and must be free of any ambiguity;

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| e-e) Any definition on the Diaspora must take into account the phenomenon and reality on the ground. In this context, there was need for a working or operational definition that addresses all aspects of the phenomenon;

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| e-f) Some delegations expressed the need for a geographical map, showing the distribution of the Diaspora around the world, stressing that there are different reasons why people settle in different countries and that these reasons were important to inform the definition of the Diaspora. It was however, explained that it was more logical to define the Diaspora first, then use the definition to identify who is a member of the Diaspora and where that person resides;

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| f-g) Some delegations underscored the need for a two or three-parts definition: the first part should be a generic, intellectual or academic definition of the Diaspora; the second part should be a more restrictive or operational definition conforming to the relevant legal framework of the Union; and the third part should underline the role of the Diaspora in its relation to the continent. The proponents of this view stressed that any definition must relate to and /or mention or be restricted to the relevant legal framework. On the other hand, some delegations were of the view that the existing legal framework has not defined the Diaspora and that it was the task of the meeting to propose a suitable, but not restrictive definition to the policy Organs of the Union;

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| g-h) Some views were expressed as to the need of a definition with a chapeau or preamble that encapsulates the idea of “a community living abroad”

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then the rest of the definition may enumerates the elements, or criteria of who is a member of the Diaspora;

16. Following the exchange of views, the Commission was charged with the task of preparing a synthesis definition for consideration by the Experts. Subsequently, the Chairperson presented the following formulation, indicating areas of consensus, and invited delegations to comment:

“The African Diaspora are peoples of African descent and heritage living outside the continent, irrespective of their citizenship and who remain committed to contribute to the development of the continent and the building of the African Union.”

17. There was a general consensus on the first part of the definition. However, the meeting had a lengthy exchange of views on the second part, with particular emphasis on the term “committed.” While there was partial consensus on the original English version, it was pointed out that the translation into French as “s’engage” was problematic and had legal connotations. The following observations were made:

a-a) Some delegations expressed the view that “commitment” was a subjective term, which was difficult to measure and that having the word in a definition, will exclude some members of the Diaspora, who may be willing to contribute to the development of the continent but lacked the means. Other delegations shared the view that “commitment” as used in English was elegant and does not necessarily have a legal connotation, and that its meaning in this context was a manifest or continuous show of interest;

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b-b) Some delegations expressed the view that the definition was too academic and did not relate to the legal framework of the Union, while others were of the view that there was no need to tie the definition with the decisions of the Union. According to them, once the definition is approved by the policy Organs of the Union, it would be binding on Member States;

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c-c) One delegation proposed “associate themselves with the inspiration and aspirations of the continent,” to replace “remain committed to contribute to.” Other delegations proposed the terms “willing” and “able” to replace “committed;”

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VIII. ADOPTION OF THE DEFINITION OF THE AFRICAN DIASPORA

18. Following the discussion above, the meeting adopted the following definition by consensus as read by the Chairperson:

“The African Diaspora consists of peoples of African origin living outside the continent, irrespective of their citizenship and nationality and who are willing to

contribute to the development of the continent and the building of the African Union.”¹

IX. CONCLUSION

19. In closing, the Chairperson thanked the Experts for their individual and collective input, and particularly, for the frank and fruitful discussion, which enabled the elaboration and adoption of a definition on the African Diaspora. The Delegate of Senegal took the floor, on behalf of all the Experts, and thanked the Chairperson for the able manner in which he conducted the meeting. The Delegate also expressed his appreciation of the efforts deployed by the Commission to implement the Diaspora initiative of the African Union and particularly, for bringing the process to fruition. He urged the Commission to continue to engage the Diaspora to seek their views on the definition adopted by the Experts and to mobilize Diaspora communities in other regions of the world as it has done effectively in the Americas and the Caribbean regions.

¹ About two delegations felt strongly on the need for a two-part definition which would capture the academic or intellectual aspects and at the same time be more confined to the political needs of the Union. One Delegation insisted on the need to add “permanently” before “...living outside the continent...”

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