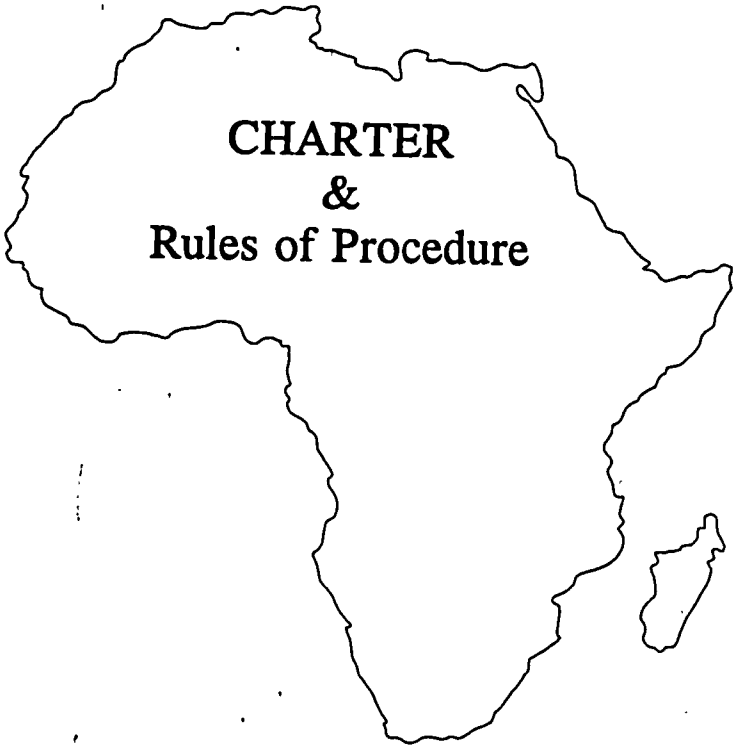
ORGANIZATION OF AFRICAN UNITY



CHARTER
&
Rules of Procedure

OAU CHARTER
AND
RULES OF PROCEDURE

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OAU CHARTER

ESTABLISHMENT
Article I

1. The High Contracting Parties do by the present Charter establish an Organization to be known as the **ORGANIZATION OF AFRICAN UNITY.**
2. The Organization shall include the Continental African States, Madagascar and other Islands surrounding Africa.

PURPOSES
Article II

1. The Organization shall have the following purposes:

   (a) To promote the unity and solidarity of the African States;
   (b) To coordinate and intensify their cooperation and efforts to achieve a better life for the peoples of Africa;
   (c) To defend their sovereignty, their territorial integrity and independence;
   (d) To eradicate all forms of colonialism from Africa; and
   (e) To promote international cooperation, having due regard to the Charter of the United Nations and the Universal Declaration of Human Rights.

2. To these ends, the Member States shall coordinate and harmonize their general policies, especially in the following fields:

   (a) Political and diplomatic cooperation;
   (b) Economic cooperation, including transport and communications;
   (c) Educational and cultural cooperation;
   (d) Health, sanitation and nutritional cooperation;
   (e) Scientific and technical cooperation; and
   (f) Cooperation for defence and security.

We, the Heads of African States and Governments assembled in the City of Addis Ababa, Ethiopia,

Convinced that it is the inalienable right of all people to control their own destiny,

Conscious of the fact that freedom, equality, justice and dignity are essential objectives for the achievement of the legitimate aspirations of the African peoples,

Conscious of our responsibility to harness the natural and human resources of our continent for the total advancement of our peoples in all spheres of human endeavour,

Inspired by a common determination to promote understanding among our peoples and cooperation among our states in response to the aspirations of our peoples for brother-hood and solidarity, in a larger unity transcending ethnic and national differences,

Convinced that, in order to translate this determination into a dynamic force in the cause of human progress, conditions for peace and security must be established and maintained,

Determined to safeguard and consolidate the hard-won independence as well as the sovereignty and territorial integrity of our states, and to fight against neo-colonialism in all its forms,

Dedicated to the general progress of Africa,

Persuaded that the Charter of the United Nations and the Universal Declaration of Human Rights, to the Principles of which we reaffirm our adherence, provide a solid foundation for peaceful and positive cooperation among States,

Desirous that all African States should henceforth unite so that the welfare and well-being of their peoples can be assured,

Resolved to reinforce the links between our states by establishing and strengthening common institutions,

Have agreed to the present Charter.

INSTITUTIONS
Article VII

The Organization shall accomplish its purposes through the following principal institutions:

1. The Assembly of Heads of State and Government.
2. The Council of Ministers.
3. The General Secretariat.
4. The Commission of Mediation, Conciliation and Arbitration.

THE ASSEMBLY OF HEADS OF STATE AND GOVERNMENT
Article VIII

The Assembly of Heads of State and Government shall be the supreme organ of the Organization. It shall, subject to the provisions of this Charter, discuss matters of common concern to Africa with a view to coordinating and harmonizing the general policy of the Organization. It may in addition review the structure, functions and acts of all the organs and any specialized agencies which may be created in accordance with the present Charter.

Article IX

The Assembly shall be composed of the Heads of State and Government or their duly accredited representatives and it shall meet at least once a year. At the request of any Member State and on approval by a two-thirds majority of the Member States, the Assembly shall meet in extraordinary session.

Article X

1. Each Member State shall have one vote.
2. All resolutions shall be determined by a two-thirds majority of the Members of the Organization.
3. Questions of procedure shall require a simple majority. Whether or

PRINCIPLES
Article III

The Member States, in pursuit of the purposes stated in Article II, solemnly affirm and declare their adherence to the following principles:

1. The sovereign equality of all Member States.
2. Non-interference in the internal affairs of States.
3. Respect for the sovereignty and territorial integrity of each State and for its inalienable right to independent existence.
4. Peaceful settlement of disputes by negotiation, mediation, conciliation or arbitration.
5. Unreserved condemnation, in all its forms, of political assassination as well as of subversive activities on the part of neighbouring States or any other States.
6. Absolute dedication to the total emancipation of the African territories which are still dependent.
7. Affirmation of a policy of non-alignment with regard to all blocs.

MEMBERSHIP
Article IV

Each independent sovereign African State shall be entitled to become a Member of the Organization.

RIGHTS AND DUTIES OF MEMBER STATES
Article V

All Member States shall enjoy equal rights and have equal duties.

Article VI

The Member States pledge themselves to observe scrupulously the principles enumerated in Article III of the present Charter.

not a question is one of procedure shall be determined by a simple majority of all Member States of the Organization.

4. Two-thirds of the total membership of the Organization shall form a quorum at any meeting of the Assembly.

Article XI

The Assembly shall have the power to determine its own rules of procedure.

THE COUNCIL OF MINISTERS

Article XII

1. The Council of Ministers shall consist of Foreign Ministers or such other Ministers as are designated by the Governments of Member States.
2. The Council of Ministers shall meet at least twice a year. When requested by any Member State and approved by two-thirds of all Member States, it shall meet in extraordinary session.

Article XIII

1. The Council of Ministers shall be responsible to the Assembly of Heads of State and Government. It shall be entrusted with the responsibility of preparing conferences of the Assembly.
2. It shall take cognisance of any matter referred to it by the Assembly. It shall be entrusted with the implementation of the decision of the Assembly of Heads of State and Government. It shall coordinate inter-African cooperation in accordance with the instructions of the Assembly and in conformity with Article II (2) of the present Charter.

Article XIV

1. Each Member State shall have one vote.
2. All resolutions shall be determined by a simple majority of the members of the Council of Ministers.

3. Two-thirds of the total membership of the Council of Ministers shall form a quorum for any meeting of the Council.

Article XV

The Council shall have the power to determine its own rules of procedure.

GENERAL SECRETARIAT

Article XVI

There shall be a Secretary-General of the Organization, who shall be appointed by the Assembly of Heads of State and Government. The Secretary-General shall direct the affairs of the Secretariat.

Article XVII

There shall be one or more Assistant Secretaries-General of the Organization, who shall be appointed by the Assembly of Heads of state and Government.

Article XVIII

The functions and conditions of service of the Secretary-General, of the Assistant Secretaries-General and other employees of the Secretariat shall be governed by the provisions of this Charter and the regulations approved by the Assembly of Heads of state and Government.

1. In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization.

2. Each member of the Organization undertakes to respect the exclusive character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.

COMMISSION OF MEDIATION, CONCILIATION AND ARBITRATION

Article XIX

Member States pledge to settle all disputes among themselves by peaceful means and, to this end decide to establish a Commission of Mediation, Conciliation and Arbitration, the composition of which and conditions of service shall be defined by a separate Protocol to be approved by the Assembly of Heads of State and Government. Said Protocol shall be regarded as forming an integral part of the present Charter.

SPECIALIZED COMMISSION

Article XX

The Assembly shall establish such Specialized Commissions as it may deem necessary, including the following:

1. Economic and Social Commission.
2. Educational, Scientific, Cultural and Health Commission.
3. Defence Commission.

Article XXI

Each Specialized Commission referred to in Article XX shall be composed of the Ministers concerned or other Ministers or Plenipotentiaries designated by the Governments of the Member States.

Article XXII

The functions of the Specialized Commissions shall be carried out in accordance with the provisions of the present Charter and of the regulations approved by the Council of Ministers.

THE BUDGET
Article XXIII

The budget of the Organization prepared by the Secretary-General shall be approved by the Council of Ministers. The budget shall be provided by contribution from Member States in accordance with the scale of assessment of the United Nations; provided, however, that no Member State shall be assessed an amount exceeding twenty per cent of the yearly regular budget of the Organization. The Member States agree to pay their respective contributions regularly.

SIGNATURE AND RATIFICATION OF CHARTER
Article XXIV

1. This Charter shall be open for signature to all independent sovereign African States and shall be ratified by the signatory States in accordance with their respective constitutional processes.
2. The original instrument, done, if possible in African languages, in English and French, all texts being equally authentic, shall be deposited with the Government of Ethiopia which shall transmit certified copies thereof to all independent sovereign African States.
3. Instruments of ratification shall be deposited with the Government of Ethiopia, which shall notify all signatories of each such deposit.

ENTRY INTO FORCE
Article XXV

This Charter shall enter into force immediately upon receipt by the Government of Ethiopia of the instruments of ratification from two-thirds of the signatory States.

REGISTRATION OF THE CHARTER
Article XXVI

This Charter shall, after due ratification, be registered with the Secretariat of the United Nations through the Government of Ethiopia in conformity with Article 102 of the Charter of the United Nations.

INTERPRETATION OF THE CHARTER
Article XXVII

Any question which may arise concerning the interpretation of this Charter shall be decided by a vote of two-thirds of the Assembly of Heads of State and Government of the Organization.

ADHESION AND ACCESSION
Article XXVIII

1. Any independent sovereign African State may at any time notify the Secretary-General of its intention to adhere or accede to this Charter.
2. The Secretary-General shall, on receipt of such notification, communicate a copy of it to all the Member States. Admission shall be decided by a simple majority of the Member States. The decision of each Member State shall be transmitted to the Secretary-General, who shall, upon receipt of the required number of votes, communicate the decision to the State concerned.

MISCELLANEOUS
Article XXIX

The working languages of the Organization and all its institutions shall be, if possible African languages, English and French, Arabic and Portuguese.

Article XXX

The Secretary-General may accept, on behalf of the Organization, gifts, bequests and other donations made to the Organization, provided that this is approved by the Council of Ministers.

Article XXXI

The Council of Ministers shall decide on the privileges and immunities to be accorded to the personnel of the Secretariat in the respective territories of the Member States.

CESSATION OF MEMBERSHIP
Article XXXII

Any State which desires to renounce its membership shall forward a written notification to the Secretary-General. At the end of one year from the date of such notification, if not withdrawn, the Charter shall cease to apply with respect to the renouncing State, which shall thereby cease to belong to the Organization.

AMENDMENT OF THE CHARTER
Article XXXIII

This Charter may be amended or revised if any Member State makes a written request to the Secretary-General to that effect; provided, however, that the proposed amendment is not submitted to the Assembly for consideration until all the Member States have been duly notified of it and

a period of one year has elapsed. Such an amendment shall not be effective unless approved by at least two-thirds of all the Member States.

IN FAITH WHEREOF, We, the Heads of African States and Governments have signed this Charter.

Done in the City of Addis Ababa, Ethiopia,
25th day of May, 1963

FUNCTIONS AND REGULATIONS OF THE GENERAL SECRETARIAT

THE GENERAL SECRETARIAT
PART I
RULE I

The General Secretariat, as a central and permanent organ of the Organization of African Unity, shall carry out the functions assigned to it by the Charter of the Organization, those that might be specified in other treaties and agreements among the Member States, and those that are established in these Regulations.

Rule 2

The General Administrative Secretariat shall supervise the implementation of decisions of the Council of Ministers concerning all economic, social, legal and cultural exchanges of Member States:

(i) keeps in custody the documents and files of the meetings of the Assembly, the Council of Ministers, of the Specialized Commissions and other organs of the Organization of African Unity;

(ii) within its possibilities, the General Secretariat shall place at the disposal of the Specialized Commissions the technical and administrative services that may be requested. In case a session of a Specialized Commission is held outside the Headquarters of the Organization, at the request of a Member State, the General Secretariat shall conclude agreements or contracts with the Government of the Member State on whose territory the Session of the Specialized Commission is being held, to guarantee adequate compensation of the disbursements incurred by the General Secretariat;

(iii) Receives communications of ratification of instruments of agreements entered into between Member States;

(iv) Prepares an Annual Report of the activities of the Organization;

(v) Prepares for submission to the Council, a report of the activities carried out by the Specialized Commissions;

(vi) Prepares the Programme and Budget of the Organization for each Fiscal Year, to be submitted to the Council of Ministers, for its consideration and approval.

Rule 3

The General Secretariat of the Organization of African Unity is the Secretariat of the Assembly, of the Council of Ministers, of the Specialized Commissions and other organs of the Organization of African Unity.

Rule 4

The Organization of African Unity has its Headquarters in the City of Addis Ababa.

Rule 5

The Headquarters is for the official use of the Organization, for objectives and purposes strictly compatible with the objectives and purposes set forth in the Charter of the Organization. The Secretary-General may authorize the celebration of meetings or social functions in the Headquarters of the Organization when such meetings or functions are closely linked, or are compatible with the objectives and purposes of the Organization.

PART II
THE SECRETARY-GENERAL AND THE ASSISTANT SECRETARIES-GENERAL
The Secretary-General

Rule 6

The Secretary-General directs the activities of the General Secretariat and is its legal representative.

Rule 7

The Secretary-General is directly responsible to the Council of Ministers for the adequate discharge of all duties assigned to him.

Rule 8

The appointment, term of office and removal of the Secretary-General are governed by the provisions of Articles XVI and XVIII of the Charter and of the Rules of Procedure of the Assembly.

The appointment of the Secretary-General shall not be subject to regional considerations.

In the election of the Secretary-General consideration shall first and foremost be given to the Competence and merit of the candidate, who shall be eligible for re-election.

Nominations for the Office of Secretary-General shall be circulated to Member States at least three months before the election.

Rule 9

The participation of the Secretary-General in the deliberations of the Assembly, of the Council of Ministers, of the Specialized Commissions and other organs of the Organization shall be governed by the provisions of the Charter and by the respective Rules of Procedure of these bodies.

Rule 10

The Secretary-General shall submit reports requested by the Assembly, the Council of Ministers and the Commissions.

Rule 11

The Secretary-General shall furthermore:

(i) carry out the provisions of Article XVIII of the Charter, and submit

Staff Rules to the Council of Ministers for approval;

(ii) transmit to Member States the Budget and Programme of Work at least one month before the convocation of the Sessions of the Assembly, of the Council of Ministers, of the Specialized Commissions and of other organs of the Organization;

(iii) receive the notification of adherence or accession to the Charter and communicate such notification to Member States, as provided in Article XXVIII of the Charter;

(iv) receive the notification of Member States which may desire to renounce their membership in the Organization as provided in Article XXXIII of the Charter;

(v) communicate to Member States, and include in the Agenda of the Assembly, as provided in Article XXXIII of the Charter written requests of Member States for amendments or revisions of the Charter;

(vi) abolish, with the approval of the Council of Ministers, such branches and administrative and technical offices as may be deemed necessary for the adequate functioning of the General Secretariat.

THE ASSISTANT SECRETARIES-GENERAL
Rule 12

The appointment, term of office and removal of the Assistant Secretaries-General are governed by the provisions of Articles XVI and XVII of the Charter and the Rules of Procedure of the Assembly.

The appointment of Assistant Secretaries-General shall be subject to geographical consideration on the basis of recognized OAU Regions.

In the election of the Assistant Secretaries-General consideration shall first and foremost be given to the competence and merit of the candidate, who shall be eligible for re-election.

The nominations for the Office of Assistant Secretaries-General shall be circulated to Member States at least three months before the election.

Rule 13

The Secretary-General shall designate one of the Assistant Secretary-General who will represent him in all matters assigned to him.

Rule 14

One of the Assistant Secretaries-General shall exercise the functions of the Secretary-General in his absence, or because of any temporary incapacity of the Secretary-General.

In the event of the death, resignation, recall or of an accident to the Secretary-General which would render him incapable of performing his functions, the most Senior Assistant Secretary-General shall act as Secretary-General. Seniority in this case shall be determined according to the date the Assistant Secretaries-General assumed their functions. Should they all have assumed Office on the same date, the oldest Assistant Secretary-General shall act as Secretary-General pending the election of new Secretary-General.

In the event of the death, incapacitation, resignation or recall of an Assistant Secretary-General, the Secretary-General shall assign one of the Assistant Secretaries-General to perform his functions pending the election of a new Assistant Secretary-General.

PART III
ORGANIZATION OF THE GENERAL SECRETARIAT

Rule 15

The General Secretariat has the following Departments:

(i) The Political Department;
(ii) The Administration and Conferences Department;
(iii) The Finance Department;
(iv) Economic Development and Cooperation Department;

(v) Education, Scientific, Cultural and Social Affairs Department.

PART IV
FISCAL RULES

Rule 16

The Secretary-General shall prepare the Programme and Budget of the Organization as provided in Article XXIII of the Charter, and shall submit it to the Council of Ministers for scrutiny and approval during its first Ordinary Session.

Rule 17

The proposed Programme and Budget shall comprise the programme of activities of the General Secretariat of the Organization. It shall include the expenses of the Assembly, of the Council of Ministers, of the Specialized Commissions and of other organs of the Organization.

Rule 18

In formulating the Programme and Budget of the Organization, the Secretary-General shall consult the different Organs of the Organization of African Unity.

The proposed Programme and Budget shall include:

(i) a list of contributions made by Member States in accordance with the scale established by the Council of Ministers and by reference to the provisions of Article XXIII of the Charter;
(ii) an estimate of various incomes;
(iii) a description of the situation of the Working Fund.

FINANCIAL RESOURCES

Rule 19

Once the budget is approved by the Council of Ministers, the Secretary-General shall communicate it to the Member States, with all pertinent documents, at least three months before the first day of the Fiscal Year. The budget shall be accompanied by a list indicating the annual contributions assigned by the Council to each Member State. The annual contribution of each Member State becomes due on the first day of the Fiscal Year.

Rule 20

The Secretary-General is the Accounting Officer of the Organization and shall be responsible for the proper administration of the Budget.

Rule 21

The Secretary-General shall submit to Member States a quarterly statement on payments of contributions and outstanding contributions.

Rule 22

There shall be a General Fund, in which the following amounts will be entered.

(i) annual Contributions of Member States;
(ii) miscellaneous income, unless the Council of Ministers determines otherwise;
(iii) advance from the Working Fund.

From such General Fund all expenditures established in the budget shall be met.

Rule 23

The Secretary-General may establish fiduciary funds, reserve funds and special funds with the approval of the Council of Ministers. The objectives and limitations of these funds shall be defined by the Council of Ministers. These funds shall be administered in separate accounts, as provided in special regulations approved by the Council of Ministers.

Rule 24

The Secretary-General, may accept, on behalf of the Organization, gifts, bequests and other donations made to the Organization, provided that such donations are consistent with the objectives and purposes of the Organization, and are approved by the Council of Ministers.

Rule 25

In the case of monetary donations for specific purposes, these funds shall be treated as fiduciary or special funds as provided in Rule 22. Monetary donations for no specific purposes shall be considered as miscellaneous income.

Rule 26

The Secretary-General shall designate the African Banks or Banking Institutions in which the funds of the Organization shall be deposited. The interests accrued by such funds, including the Working Fund, shall be entered as miscellaneous income.

ACCOUNTING

Rule 27

The accounts of the Organization shall be carried in the currency determined by the Council of Ministers.

FINANCIAL SUPERVISION
Rule 28

The Council of Ministers shall be responsible for the supervision of the finances of the Organization.

Rule 29

The Secretary-General shall submit to the Council of Ministers any matter relating to the financial situation of the Organization.

PART V
MISCELLANEOUS
Rule 30

The Secretary-General shall submit to the Council of Ministers for its approval, at the earliest possible moment, the complete regulations governing the accounting method of the Organization, in accordance with established international accounting practices.

AMENDMENTS
Rule 31

These regulations may be amended by the Council of Ministers by a simple majority subject to the approval of the Assembly.

RULES OF PROCEDURE
OF THE COUNCIL OF MINISTERS

COMPOSITION
Rule 1

The Council of Ministers of the Organization of African Unity is composed of Ministers for Foreign Affairs or any other Ministers appointed by the Governments of Member States.

Rule 2

The Council of Ministers is answerable to the Assembly of Heads of State and Government.

FUNCTIONS
Rule 3

(i) It is charged with the preparation of the Assembly;
(ii) It takes cognisance of any question referred to it by the Assembly;
(iii) It implements inter-African cooperation, in accordance with the directives of the Assembly, as provided under Article II, Paragraph 2, of the Charter of the Organization of African Unity;
(iv) The budget of the Organization prepared by the Secretary-General shall be submitted, for scrutiny and approval, by the Council of Ministers;
(v) The functions of the Specialized Commissions established by Article XX of the Charter shall be carried out in accordance with the provisions of the Charter and of the regulations approved by the Council of Ministers.

REPRESENTATION
Rule 4

Each government shall be represented on the Council of Ministers by a delegation led by the Minister for Foreign Affairs or any other Minister appointed by the government.

Rule 5

The government of each Member State shall communicate to the Council in advance, through the Secretary-General, the list of its duly accredited delegation.

ORDINARY SESSIONS
Rule 6

As approved by Article XII (2) of the Charter, the Council of Ministers shall meet at least twice a year, in February and in August.

At its ordinary annual session which shall be held in February each year, it shall consider and approve, inter-alia, the Programme and Budget of the Organization for the next fiscal year. The fiscal year of the Organization shall be from the first of June to the thirty-first of May.

EXTRA-ORDINARY SESSIONS
Rule 7

At the request of a Member State and subject to the agreement of two-thirds of the members, the Council shall meet in extra-ordinary session.

PLACE OF MEETINGS
Rule 8

Sessions of the Council shall be held at the Organization's Headquarters unless a member government invites the Council to meet in its country, and in that event any additional expenses incurred by the Secretariat in respect of travel shall be borne by the member government.

PUBLIC AND PRIVATE MEETINGS
Rule 9

All meetings of the Council shall be held in private; but the Council may decide by simple majority whether any of its meetings shall be public.

WORKING LANGUAGES
Rule 10

The working languages of the Organization and all its institutions shall be, if possible, African languages, French, English, Arabic and Portuguese.

CHAIRMANSHIP, ELECTION AND TERM OF OFFICE
Rule 11

The Council shall, at the commencement of each session elect, by secret ballot and simple majority, a Chairman, three Vice-Chairmen and a Rapporteur whose terms of office shall terminate at the commencement of the next ordinary session. These officers are not eligible for re-election to the Bureau until the representatives of other Member States have held office.

Rule 12

The Chairman opens and closes the meetings, submits for approval the records of the meetings, directs the debates, grants the use of the floor, submits to a vote matters under discussion, announces the results of votes, rules on points of order in accordance with the Rules of Procedure.

VACANCY OR ABSENCE
Rule 13

In case of vacancy or absence of the Chairman, one of the Vice-Chairmen shall act in his place.

AGENDA
Rule 14

The provisional agenda shall be drawn up by the Secretary-General and communicated to Member States at least thirty days before the opening of the Ordinary Session.

Rule 15

The provisional agenda of an Ordinary Session shall comprise, in particular:

(i) The report of the Secretary-General;
(ii) Items which the Assembly decides to place on agenda of the Council;
(iii) Items which the Council decided at a preceding session to place on its agenda;
(iv) Items proposed by the Specialized Commissions of the Organization;
(v) Items proposed by Member States;
(vi) Other business.

Rule 16

The agenda of an extra-ordinary session convened by the Secretary-General at the request of a Member State, provided this request has been approved by the required two-thirds majority, shall be communicated fifteen days at least before the opening of the Session.

Rule 17

The agenda of an extra-ordinary session shall comprise only items submitted for consideration in the request for convening the extra-ordinary session.

QUORUM AND DEBATES
Rule 18

A quorum shall be made up of two-thirds of the Member States of the Organization of African Unity.

Rule 19

No representative shall have the floor without the consent of the Chairman. The Chairman shall grant the use of the floor in the order in which it has been requested. He can call to order any representative when his statement is not relevant to the matter under discussion.

RESOLUTIONS
Rule 20

Proposed resolutions, motions or amendments shall be presented in writing to the Secretary-General who shall circulate copies to representatives. However, the Council may authorize the discussion of a proposal not previously distributed. Proposed resolutions and motions shall be examined in the order of their submission.

A motion or a proposed resolution may be withdrawn by the original mover prior to its being submitted to the vote. Any representative may reintroduce a motion or proposed resolution that has been withdrawn.

POINTS OF ORDER
Rule 21

During the debate, a representative may raise a point of order and the point of order shall be immediately decided by the Chairman in accordance with the Rules of Procedure. A representative may appeal against the ruling of the Chairman. The appeal shall be immediately put to the vote and decided by simple majority.

A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

TIME LIMIT
Rule 22

The Council may limit the time allowed to each speaker on any question. On procedural questions, the Chairman shall limit each intervention to a maximum of five minutes. When debate is limited and a representative exceeds his allotted time, the Chairman shall call him to order without delay.

CLOSING OF LIST OF SPEAKERS
Rule 23

During the course of a debate, the Chairman may announce the list of speakers and, with the consent of the Council, declare the list closed. The Chairman may, however, accord the right of reply to any representative if, in his opinion, a speech delivered after he has declared the list closed makes this desirable.

CLOSURE OF DEBATE
Rule 24

When a matter has been sufficiently discussed any representative may move the closure of the debate. Two representatives may speak in favour of the motion and two against the motion, after which the motion shall be considered approved if it has a simple majority in its favour. When the debate on an item is concluded because there are no other speakers, the Chairman shall declare the debate closed.

ADJOURNMENT OF DEBATE
Rule 25

During the discussion of any matter, a representative may move the adjournment of the debate on the item under discussion. In addition to the

proposer of the motion, one representative may speak in favour and one against the motion after which the motion shall be immediately put to the vote.

SUSPENSION OR ADJOURNMENT OF THE MEETING
Rule 26

During the discussion of any matter, a representative may move the suspension or adjournment of the meeting. No discussion on such motions shall be permitted, and they shall be immediately put to the vote.

ORDER OF PROCEDURAL MOTIONS
Rule 27

Subject to Rule 21, the following motions shall have Precedence in the following order over all other proposals or motions before the meeting:

(i) to suspend the meeting;
(ii) to adjourn the meeting;
(iii) to adjourn the debate on the item under discussion;
(iv) for the closure of the debate on the item under discussion.

VOTING RIGHTS
Rule 28

Each Member State shall have one vote.

MAJORITY REQUIRED
Rule 29

All resolutions shall be determined by simple majority of the members of the Council of Ministers.

VOTE ON RESOLUTIONS
Rule 30

After the debate has been closed the Chairman shall immediately put to the vote resolutions with all amendments. The vote shall not be interrupted except on a point of order related to the manner in which the vote is taking place.

VOTE ON AMENDMENTS
Rule 31

When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the Council shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom, and so on, until all the amendments have been put to the vote. If one or several amendments are adopted, the amended proposal is then put to the vote. If no amendments are adopted, the proposal shall be put to the vote in its original form. A proposal is considered as an amendment to a text if it adds or removes parts therefrom or modifies it.

VOTE ON SEPARATE PARTS OF A PROPOSAL
Rule 32

Parts of a proposal, resolution or a motion shall be voted on separately when so requested. If this is done, the text resulting from a series of votes shall be put to the vote as a whole. If all operative parts of a proposed resolution or motion have been rejected, the proposal shall be considered to have been rejected as a whole.

METHOD OF VOTING AND EXPLANATION OF VOTE
Rule 33

Votes will be taken by raising the hand, but any representative may request a roll-call vote which shall be taken in the alphabetical order of the

names of the members beginning with the State whose name is drawn by lot by the Chairman. After a vote any representative may request the use of the floor to explain his vote.

Rule 34

There shall be a secret vote for elections and also in such special circumstances as the Council may determine by simple majority.

Rule 35

In the event of equality of votes in issues other than elections, the proposal is deemed to be rejected.

COMMITTEES

Rule 36

The Council may establish such ad-hoc committees and temporary working groups as it may deem necessary.

AMENDMENTS

Rule 37

These Rules of Procedure may be amended by the Council of Ministers by simple majority of its members.

RULES OF PROCEDURE OF THE ASSEMBLY OF HEADS OF STATE AND GOVERNMENT

Rule 1

The Assembly of Heads of State and Government is the Supreme Organ of the Organization of African Unity.

COMPOSITION
Rule 2

The Assembly is composed of the Heads of State and Government or their duly accredited representatives.

FUNCTIONS
Rule 3

(i) Discussion of matters of common concern to Africa;
(ii) Coordinating and harmonizing the general policy of the Organization;
(iii) Reviewing the structure, functions and acts of all organs of the Organization;
(iv) Establishment of any specialized agencies as it may deem necessary and as provided for in Articles VIII and XX of the Charter;
(v) Interpretation and amendment of the Charter.

ORDINARY SESSIONS
Rule 4

In conformity with Article IX of the Charter, the Assembly of Heads of State and Government shall meet at least once a year.

EXTRA-ORDINARY SESSIONS
Rule 5

At the request of any Member State and on approval by a two-thirds majority of the Member States, the Assembly shall meet in extra-ordinary session.

PLACE OF MEETING
Rule 6

The Assembly shall decide at its Ordinary Session the place of its next session by simple majority.

PUBLIC AND PRIVATE MEETINGS
Rule 7

All meetings of the Assembly shall be held in private; the Assembly, however, may decide by simple majority whether any of its meetings shall be public.

WORKING LANGUAGES
Rule 8

The working languages of the Assembly are if possible African languages, English, French, Arabic and Portuguese.

ELECTION OF CHAIRMAN
Rule 9

The Assembly shall at the beginning of each session, elect a Chairman and eight Meeting chairmen.

DUTIES AND FUNCTIONS OF THE CHAIRMAN
Rule 10

(i) The Chairman opens and closes the meetings, submits for approval the records of the meetings, directs the debates, grants the use of the floor, submits to a vote matters under discussion, announces the results of the vote taken, rules on points of order in accordance with the Charter and the Rules of Procedure;

(ii) The Chairman of the meeting shall ensure the order and the decorum of the proceedings of the Assembly.

AGENDA
Rule 11

(i) The provisional agenda of an ordinary session shall be drawn up by the Council of Ministers;

(ii) The provisional agenda of an ordinary session shall comprise the following:

(a) Items which the Assembly decides to place on its agenda;
(b) Items proposed by the Council of Ministers;
(c) Items proposed by a Member State;
(d) Other Business.

Rule 12

The agenda of an extra-ordinary session shall be communicated by the Secretary-General at least ten days before the opening of the extra-ordinary session.

Rule 13

The agenda of an extra-ordinary session shall comprise only items submitted for consideration in the request for convening the extra-ordinary session.

QUORUM AND DEBATES
Rule 14

Two-thirds of the total membership shall form a quorum at any meeting of the Assembly.

Rule 15

The use of the floor shall be granted by the Chairman in the order in which it has been requested.

RESOLUTIONS
Rule 16

Proposed resolutions, motions, or amendments shall be presented in writing to the Secretary-General who shall give copies to members of the Assembly. However, the Assembly may authorize the discussion of a proposal not previously distributed.

Rule 17

A motion or a proposed resolution may be withdrawn by the original mover prior to its being submitted to the vote. Any member may reintroduce a motion or proposed resolution that has been withdrawn.

POINT OF ORDER
Rule 18

During the debate, a member may raise a point of order and the point of order shall immediately be decided by the Chairman, in accordance with the Rules of Procedure. If a member appeals against the decision, the appeal shall immediately be submitted to the vote.

CLOSING OF LIST OF SPEAKERS
Rule 19

During the course of a debate the Chairman may announce the list of speakers and, with the consent of the Assembly, declare the list closed. The Chairman may, however, accord the right of reply to any member, if, in his opinion, a speech delivered after he has declared the list closed makes this desirable.

CLOSURE OF DEBATE
Rule 20

When a matter has been sufficiently discussed a member may move the closure of the debate. Two members may briefly speak in favour and two against such motion after which the motion shall be immediately put to the vote.

ADJOURNMENT OF DEBATE
Rule 21

During the discussion of any matter, a member may move the adjournment of the debate on the item under discussion. In addition to the proposer of the motion, one member may speak in favour and one against the motion after which the motion shall be immediately put to the vote.

SUSPENSION OR ADJOURNMENT OF THE MEETING
Rule 22

During the discussion of any matter, a member may move the suspension or adjournment of the meeting. No discussion on any such motion shall be permitted, and it shall be immediately put to the vote.

ORDER OF PROCEDURAL MOTIONS
Rule 23

Subject to Rule 18, the following motions shall have precedence in the following order over all other proposals or motions before the meeting:

(i) to suspend the meeting;
(ii) to adjourn the meeting;
(iii) to adjourn the debate on the item under discussion;
(iv) for the closure of the debate on the item under discussion.

VOTING RIGHTS
Rule 24

Each Member State shall have one vote.

MAJORITY REQUIRED
Rule 25

All resolutions and decisions shall be determined by a two-thirds majority of the members of the Organization.

Rule 26

Questions of procedure shall require a simple majority of all members of the Organization. Whether or not a question is one of procedure shall be determined by a similar manner.

VOTE ON RESOLUTIONS
Rule 27

After the debate has been closed, the Chairman shall immediately put to the vote the resolution with all amendments. The vote shall not be interrupted except on a point of order related to the manner in which the vote is taking place.

VOTING ON AMENDMENTS
Rule 28

When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the Assembly shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next

furthest removed therefrom, and so on, until all amendments have been put to the vote. If one or several amendments are adopted, the amended proposal is then put to the vote. If no amendments are adopted, the proposal shall be put to the vote in its original form. A proposal is considered as an amendment to a text if it adds or removes parts therefrom or modifies it.

VOTE ON SEPARATE PARTS OF A PROPOSAL
Rule 29

Parts of a proposal, resolution or a motion shall be voted on separately when so requested. If this is done, the text resulting from the series of votes shall be put to the vote as a whole. If all operative parts of a proposed resolution or motion have been rejected, the proposal shall be considered to have been rejected as a whole.

METHODS OF VOTING AND EXPLANATION OF VOTE
Rule 30

Votes will be taken by raising the hand, but any member may request a roll-call vote which shall be taken in the alphabetical order of the names of the Member States beginning with the state whose name is drawn by lot by the Chairman. After the vote any member may request the use of the floor to explain his vote.

Rule 31

There shall be a secret vote for elections, and also in such special circumstances as the Assembly may determine by simple majority.

SECRETARY-GENERAL
Rule 32

The Assembly shall appoint the Secretary-General of the Organization by secret vote and a two-thirds majority.

The appointment of the Secretary-General shall not be subject to regional considerations.

In the election of the Secretary-General consideration shall first and foremost be given to the competence and merit of the candidate, who shall be eligible for re-election.

Nominations for the Office of Secretary-General shall be circulated to Member States at least three months before the election.

Rule 33

The term of office of the Secretary-General is of four years and subject to re-election.

ASSISTANT SECRETARIES-GENERAL

Rule 34

The Assembly shall appoint one or more Assistant Secretaries-General of the Organization. Method of vote shall be as provided in Rule 32.

The appointment of Assistant Secretaries-General shall be subject to geographical consideration on the basis of recognized OAU Regions.

In the election of the Assistant Secretaries-General, consideration shall first and foremost be given to the competence and merit of the candidate, who shall be eligible for re-election.

The nominations for the office of Assistant Secretaries-General shall be circulated to Member States at least three months before the election.

Rule 35

The Assistant Secretary-General or the Assistant Secretaries-General shall be appointed for a term of office of four years, after which they may be eligible for re-election.

Rule 36

The Assembly may terminate the mandates of the Secretary-General and Assistant Secretaries-General, when so required for the good functioning of the Organization. In this respect the method of vote will be the same as that of their appointment.

COMMITTEES
Rule 37

The Assembly may establish such Ad-hoc Committees and temporary working groups as it may deem necessary.

AMENDMENTS
Rule 38

These Rules of Procedure may be amended by the Assembly by a two-thirds majority.

PROTOCOL OF THE COMMISSION OF MEDIATION, CONCILIATION AND ARBITRATION

PART I
ESTABLISHMENT AND ORGANIZATION

Article I

The Commission of Mediation, Conciliation and Arbitration established by Article XIX of the Charter of the Organization of African Unity shall be governed by the provisions of the present Protocol.

Article II

1. The Commission shall consist of twenty-one members elected by the Assembly of Heads of State and Government.
2. No two members shall be nationals of the same State.
3. The members of the Commission shall be persons with recognized professional qualifications.
4. Each Member State of the Organization of African Unity shall be entitled to nominate two candidates.
5. The Secretary-General shall prepare a list of the candidates nominated by Member States and shall submit it to the Assembly of Heads of State and Government.

Article III

1. Members of the Commission shall be elected for a term of five years and shall be eligible for re-election.
2. Members of the Commission whose terms of office have expired shall remain in office until the election of a new Commission.
3. Notwithstanding the expiry of their terms of office, members shall complete any proceedings in which they are already engaged.

Article IV

Members of the Commission shall not be removed from office except by decision of the Assembly of Heads of State and Government, by a two-thirds

majority of the total membership, on the grounds of inability to perform the functions of their office or of proved misconduct.

Article V

1. Whenever a vacancy occurs in the Commission, it shall be filled in conformity with the provisions of Article II.
2. A member of the Commission elected to fill a vacancy shall hold office for the unexpired term of the member he has replaced.

Article VI

1. A President and two Vice-Presidents shall be elected by the Assembly of Heads of State and Government from among the members of the Commission who shall each hold office for five years. The President and the two Vice-Presidents shall not be eligible for re-election as such officers.
2. The President, the two Vice-Presidents and the Eighteen members of the Commission shall be part time members of the Commission.

Article VII

The President and the two Vice-Presidents shall constitute the Bureau of the Commission and shall have the responsibility of consulting with the parties as regards the appropriate mode of settling the dispute in accordance with this Protocol.

Article VIII

The salaries and allowances of the members of the Bureau and the remuneration of the other members of the Commission shall be determined in accordance with the provisions of the Charter of the Organization of African Unity.

Article IX

1. The Commission shall appoint a Registrar and may provide for such other officers as may be deemed necessary.
2. The terms and conditions of service of the Registrar and other administrative officers of the Commission shall be governed by the Commission's Staff Regulations.

Article X

The administrative expenses of the Commissions shall be borne by the Organization of African Unity. All other expenses incurred in connection with the proceedings before the Commission shall be met in accordance with the Rules of Procedure of the Commission.

Article XI

The Seat of the Commission shall be at Addis Ababa, Ethiopia.

PART II
GENERAL PROVISIONS
Article XII

The Commission shall have jurisdiction over disputes between States only.

Article XIII

1. A dispute may be referred to the Commission jointly by the parties concerned, by a party to the dispute, by the Council of Ministers or by the Assembly of Heads of State and Government.
2. Where a dispute has been referred to the Commission as provided in Paragraph 1, and one or more of the parties have refused to submit to the jurisdiction of the Commission, the Bureau shall refer the matter to the Council of Ministers for consideration.

Article XIV

The consent of any party to a dispute to submit to the jurisdiction of the Commission may be evidenced by:

(a) a prior written undertaking by such party that there shall be recourse to mediation, conciliation or arbitration;
(b) reference of a dispute by such party to the Commission; or
(c) submission by such party to the jurisdiction in respect of a dispute referred to the Commission by another State, by the Council of Ministers, or by the Assembly of Heads of State and Government.

Article XV

Member States shall refrain from any act or omission that is likely to aggravate a situation which has been referred to the Commission.

Article XVI

Subject to the provisions of this Protocol and any special agreement between the parties, the Commission shall be entitled to adopt such working methods as it deems to be necessary and expedient and shall establish appropriate rules of procedure.

Article XVII

The members of the Commission, when engaged in the business of the Commission, shall enjoy diplomatic privileges and immunities of the Organization of African Unity.

Article XVIII

Where, in the course of mediation, conciliation or arbitration, it is deemed necessary to conduct an investigation or inquiry for the purpose of elucidating facts or circumstances relating to a matter in dispute, the parties concerned and all other Member States shall extend to those engaged in any

such proceedings the fullest cooperation in the conduct of such investigation or inquiry.

Article XIX

In case of a dispute between Member States, the parties may agree to resort to any one of these modes of settlement: Mediation, Conciliation and Arbitration.

PART III
MEDIATION

Article XX

When a dispute between Member States is referred to the Commission for Mediation, the President shall, with the consent of the parties, appoint one or more members of the Commission to mediate the dispute.

Article XXI

1. The role of the mediator shall be confined to reconciling the views and claims of the parties.
2. The mediator shall make written proposals to the parties as expeditiously as possible.
3. If the means of reconciliation proposed by the mediator are accepted, they shall become the basis of a protocol of arrangement between the parties.

PART IV
CONCILIATION
Article XXII

1. A request for the settlement of a dispute by conciliation may be submitted to the Commission by means of a petition addressed to the President by one or more of the parties to the dispute.

2. If the request is made by only one of the parties, that party shall indicate that prior written note has been given to the other party.
3. The petition shall include a summary explanation of the grounds of the dispute.

Article XXIII

1. Upon receipt of the petition, the President shall, in agreement with the parties, establish a Board of Conciliators, of whom three shall be appointed by the President from among the members of the Commission, and one each by the parties.
2. The Chairman of the Board shall be a person designated by the President from among the three members of the Commission.
3. In nominating persons to serve as Members of the Board, the parties to the dispute shall designate persons in such a way that no two members of it shall be nationals of the same State.

Article XXIV

1. It shall be the duty of the Board of Conciliators to clarify the issues in dispute and to endeavour to bring about an agreement between the parties upon mutually acceptable terms.
2. The Board shall consider all questions submitted to it and may undertake any inquiry or hear any person capable of giving relevant information concerning the dispute.
3. In the absence of agreement between the parties, the Board shall determine its own procedure.

Article XXV

The parties shall be represented by agents, whose duty shall be to act as intermediaries between them and the Board. They may moreover be assisted by counsel and experts and may request that all persons whose evidence appears to the Board to be relevant shall be heard.

Article XXVI

1. At the close of the proceedings, the Board shall draw up a report stating either:

(a) That the parties have come to an agreement and if the need arises, the terms of the agreement and any recommendations for settlement made by the Board; or
(b) That it has been impossible to effect a settlement.

2. The Report of the Board of Conciliators shall be communicated to the parties and to the President of the Commission without delay and may be published only with the consent of the parties.

PART V
ARBITRATION
Article XXVII

1. Where it is agreed that arbitration should be resorted to, the Arbitral Tribunal shall be established in the following manner:

(a) Each party shall designate one arbitrator from among the members of the Commission having legal qualifications;
(b) The two arbitrators thus designated shall, by common agreement, designate from among the members of the Commission a third person who shall act as Chairman of the Tribunal;
(c) Where the two arbitrators fail to agree, within one month of their appointment, in the choice of the Tribunal the Bureau shall designate the Chairman.

2. The President may, with the agreement of the parties appoint to the Arbitral Tribunal two additional members who need not be members of the Commission but who shall have the same powers as the other members of the Tribunal.

3. The arbitrators shall not be nationals of the parties, or have their domicile in the territories of the parties, or be employed in their service, or have served as mediators or conciliators in the same dispute. They shall all be of different nationalities.

Article XXVIII

Recourse to arbitration shall be regraded as submission in good faith to the award of the Arbitral Tribunal.

Article XXIX

1. The parties shall, in each case, conclude a compromise which shall specify:

(a) the undertaking of the parties to go to arbitration and to accept as legally binding, the decision of the Tribunal;
(b) the subject matter of the controversy; and
(c) the seat of the Tribunal.

2. The compromise may specify the law to be applied by the Tribunal and the power, if the parties so agree, to adjudicate ex aequo et bono, the time-limit within which the award of the arbitrators shall be given, and the appointment of agents and counsel to take part in the proceedings before the Tribunal.

Article XXX

In the absence of any provision in the compromise regarding the applicable law, the Arbitral Tribunal shall decide the dispute according to treaties concluded between the parties, International Law, the Charter of the Organization of African Unity, the Charter of the United Nations and, if the parties agree ex aequo et bono.

Article XXXI

1. Hearings shall be held in camera unless the arbitrators decide otherwise.
2. The record of the proceedings signed by the Registrar shall alone be authoritative.

3. The arbitral award shall be in writing and shall, in respect of every point decided, state the reasons on which it is based.

PART VI
FINAL PROVISIONS

Article XXXII

The present Protocol shall, after approval by the Assembly of Heads of State and Government, be an integral part of the Charter of the Organization of African Unity.

Article XXXIII

This Protocol may be amended or revised in accordance with the provisions of Article XXXIII of the Charter of the Organization of African Unity.

IN FAITH WHEREOF, We, the Heads of African States and Governments have signed this Protocol.

Done at Cairo, (United Arab Republic) on the 21st day of July, 1964.

THE STATES MEMBERS OF THE OAU

1. Algeria
2. Angola
3. Benin*
4. Botswana
5. Burkina Faso*
6. Burundi*
7. Cameroon*
8. Cape Verde
9. Central African Republic*
10. Chad*
11. Comoros
12. Congo*
13. Cote d'Ivoire*
14. Djibouti
15. Egypt*
16. Equatorial Guinea
17. Ethiopia*
18. Gambia
19. Gabon*
20. Ghana*
21. Guinea*
22. Guinea Bissau
23. Kenya
24. Lesotho
25. Liberia*
26. Libyan Arab Jamahiriya*
27. Madagascar*
28. Malawi
29. Mali*
30. Mauritania*
31. Mauritius
32. Morocco* X
33. Mozambique
34. Namibia
35. Niger*
36. Nigeria*
37. Rwanda*
38. SADR
39. Sao Tome and Principe
40. Senegal*
41. Seychelles
42. Sierra Leone*
43. Somalia*
44. Sudan*
45. Swaziland
46. Tanzania
47. Togo*
48. Tunisia*
49. Uganda*
50. Zaire
51. Zambia
52. Zimbabwe

* Founding Member
x Suspended membership

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