

CM/257

COUNCIL OF MINISTERS
Twelfth Ordinary Session
Addis Ababa - February 1969

DRAFT AGREEMENT BETWEEN THE ORGANIZATION
OF AFRICAN UNITY AND THE WORLD
HEALTH ORGANIZATION

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Draft Agreement between the Organization of African Unity
and the World Health Organization.

The OAU has already signed agreements with several International Organization, and is in the process of concluding others whose cooperation is considered to be of special significance in helping this organization to effect the implementation of some of its resolutions. One such organization is the World Health Organization (WHO).

The draft agreement between the World Health Organization and the Organization of African Unity was sent to all Member States under a cover of a Note No. CS/ESCHC/20 dated 12th July, 1968 for their careful study and comments. A copy is attached as appendix I for ease of reference.

After studying the draft agreement, some Member States wrote back to say that they were in full agreement with it while others wrote back to merely acknowledge receipt of the document and to say that they had no comments to make. A few States wrote indicating where they wanted some changes either in wording or in meaning. Still others did not write even just to acknowledge receipt of the document. It is hoped, however, that such Member States have no objections on the substance or wording of the draft agreement.

All comments received from Member States have been reproduced and attached here on for the Council's information or consideration. The majority of them indeed favour the agreement as it stands, and only Chad and Mauritania raised points requiring further consideration. The Council is, therefore, called upon to pronounce itself on these, and subsequently, to consider approving the draft agreement, and to authorize the Administrative Secretary General to sign it on behalf of the OAU.

It is hoped that the Council will give this agreement their approval so as to enable the two organizations to strengthen and expand their already existing good relations and co-operation.

December 1968

Addis Ababa

CM/257

Appendix I

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DRAFT AGREEMENT BETWEEN THE ORGANIZATION
OF AFRICAN UNITY AND THE WORLD
HEALTH ORGANIZATION

AGREEMENT BETWEEN THE WORLD HEALTH ORGANIZATION
AND THE ORGANIZATION OF AFRICAN UNITY

THE WORLD HEALTH ORGANIZATION, and
THE ORGANIZATION OF AFRICAN UNITY,

CONSIDERING that the objective of the World Health Organization (hereinafter referred to as "WHO") is the attainment by all peoples of the highest possible level of health and that in order to achieve this objective WHO acts as the directing and co-ordinating authority on international health work;

CONSIDERING that one of the purposes of the Organization of African Unity (hereinafter referred to as "OAU") is, as set out in its Charter, to promote the unity and solidarity of the African States and to intensify their co-operation and efforts to achieve a better life for the peoples of Africa, and to these ends to undertake among other things to co-ordinate and harmonize the general policies of its Member States in the field of health and sanitation;

CONSIDERING that under Article XX of the Charter of OAU specialized commissions have been set up to ensure such co-operation;

CONSIDERING that OAU is called upon to undertake certain tasks of a regional nature, in harmony with those pursued on a world wide scale by WHO;

CONSIDERING the regional arrangements made by WHO as set fourth in Chapter XI of its Constitution, and in particular Article 50 (d) thereof;

CONSIDERING Article 70 of the Constitution of WHO and Article II of the Charter of OAU and in confirmation of the already existing co-operation between the two Organizations:

HAVE AGREED AS FOLLOWS:

ARTICLE I
Co-operation

WHO and OAU agree to co-operate in all matters that arise in the field of health and are connected with those tasks and activities of the two Organizations that are in harmony.

ARTICLE II
Exchange of Information

1. WHO and OAU agree to exchange publications and documents relating to activities on subjects of common interest, subject to any measures which might be necessary to safeguard the confidential nature of certain documents.
2. This exchange shall be supplemented, as necessary, by periodical contacts between members of the Secretariats of the two Organizations for the purpose of consultation as regards projects or activities of common interest. In addition, each Organization shall make available to the other any statistical and legislative information in its possession on subjects of common interest.

ARTICLE III
Reciprocal Representation

1. Representatives of WHO shall be invited to attend session of the Specialized Commissions and Technical Conferences or Meetings of the OAU at which matters of interest to WHO are to be discussed. These representatives shall participate, without vote, in the deliberations of these bodies with respect to items on their agendas in which WHO has an interest.
2. Representatives of OAU shall be invited to attend the meetings of the World Health Assembly and its Committees, the Executive Board and the Regional Committees concerned and to participate, without vote, in the deliberations of these bodies with respect to items on their agendas in which OAU has an interest.

ARTICLE IV

Joint Action

WHO and OAU will afford, each to the other, any technical co-operation which may be asked for the purpose of studying questions of common interest. If any such technical co-operation would involve substantial expenditure, consultation will take place with a view to determining the most equitable manner of meeting such expenditure.

ARTICLE V

Technical Assistance or Aid

A request for technical assistance or aid made jointly by two or more Members to either Organization may, if the Members concerned so request, be the subject of consultations between the two Organizations.

ARTICLE VI

Implementation, Revision and Denunciation

1. In all matters concerning the implementation of this agreement, WHO shall be represented by its Headquarters or by its competent Regional Office and OAU shall be represented by its Administrative Secretary-General or his duly authorized nominee.
2. The terms of this agreement may be modified with the consent of both parties.
3. Either party may denounce the agreement by giving one year's notice in writing to the other party.

ARTICLE VII

Entry into Force

This agreement, after approval by the World Health Assembly and the Council of Ministers of OAU, shall enter into force on the date on which it is signed by the appointed representatives of WHO and OAU.

IN WITNESS WHEREOF ~~the two representatives whose names are~~
stated below have signed this agreement at the dates indicated
below their signature.

This agreement has been written in duplicate in the
English and French languages, the texts in both languages being
equally authentic.

.....
For the World Health
Organizations

.....
For the Organization of
African Unity

(date)

(date)

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Appendix II/1 - 10

COUNCIL OF MINISTERS

Twelfth Ordinary Session

Addis Ababa -- February 1969

COMMENTS RECEIVED FROM MEMBER STATES ON THE
DRAFT AGREEMENT BETWEEN THE ORGANIZATION
OF AFRICAN UNITY AND THE WORLD
HEALTH ORGANIZATION

EMBASSY OF THE UNITED ARAB REPUBLIC
ADDIS ABABA

31st, August 1968.

3/5/122 (718)

The U.A.R. Embassy presents its compliments to the general secretariat of the OAU and has the honour to refer to their note No. CS/ESCHC/20 dated 12/7/1968 concerning the draft WHO/OAU agreement,

The UAR Embassy would like to inform the general secretariat that the UAR competent authorities have no observations to the agreement's articles.

The UAR Embassy avails itself of this opportunity to renew to the general secretariat of the OAU the assurances of its highest consideration.

The General Secretariat of the OAU
Addis Ababa.

UN/WHO/101/318

MINISTRY OF EXTERNAL AFFAIRS,
MINISTERIAL OFFICE BLOCK,
GEORGE STREET,
FREETOWN.

27th AUGUST, 1968.

The Ministry of External Affairs of Sierra Leone presents its compliments to the General Secretariat of the Organization of African Unity and has the honour to refer to Note Verbal CS/ESCHC/20 of 12th July, 1968 concerning the draft WHO/OAU Agreement.

The Ministry wishes to inform the Secretariat that the Government has no comments, amendments or alternative proposals to make on the drafts.

The Ministry of External Affairs avails itself of this opportunity to renew to the General Secretariat of the Organization of African Unity, the assurances of its highest consideration.

THE ORGANIZATION OF AFRICAN UNITY
SECRETARIAT,
P.O. Box 3243,
ADDIS ABABA

WTL/OA

No II.7/

The Ministry of Foreign Affairs of the Republic of Togo presents its compliments to the General Secretariat of the Organization of African Unity and, in reply to the latter's Note No CS/ESCHC/20 of 12 July 1968, has the honour to inform it that the Competent Togolese Authorities have no objection to the Draft Agreement between OAU and WHO.

The draft, infact, does not contradict the agreements binding the Government of Togo to the World Health Organization.

The Ministry of Foreign Affairs of the Republic of Togo takes this opportunity to renew to the General Secretariat of the Organization of African Unity the assurances of its highest consideration.

LOME, 7 November 1968

GENERAL SECRETARIAT OF THE
ORGANIZATION OF AFRICAN UNITY

Republic of Dahomey
FRATERNITY-JUSTICE - WORK

MINISTRY OF FOREIGN AFFAIRS

The Ministry of Foreign Affairs presents its compliments to the General Secretariat of the Organization African Unity and, in reply to the latter's Note CS/ESCHC/20 of 12 July 1968, has the honour to inform it that the Government of Dahomey approves the content of the draft agreement between OAU and WHO.

The Ministry of Foreign Affairs takes this opportunity to renew to the General Secretariat of the Organization of African Unity the assurances of its highest consideration.

COTONOU, 20 September 1968

The General Secretariat of the
Organization of African Unity
P.O. Box 3243

ADDIS-ABABA

Embassy of the Republic of the Sudan
Addis Ababa

Ref. 1.D.8/5

1st October, 1968

The Embassy of the Republic of the Sudan presents its compliments to the General Secretariat of the Organization of African Unity and with reference to the Secretariat's Note No.CS/ESCHC/20, dated 12th July, 1968 regarding the draft of WHO/OAU agreement, has the honour to convey that the Government of the Republic of the Sudan has given its approval and agreement to the above mentioned draft.

The Embassy of the Republic of the Sudan avails itself of this opportunity to renew to the General Secretariat of the Organization of African Unity the assurances of its highest consideration.

The Organization of African Unity
General Secretariat
Addis Ababa

MINISTRY OF FOREIGN AFFAIRS

No. 595/MAE-COOP/

The Foreign Ministry of the Islamic Republic of Mauritania presents its compliments to the Secretariat General of the Organization of African Unity in Addis Ababa and has the honour of forwarding the following information concerning the draft agreement between the World Health Organization and the Organization of African Unity which was submitted to us for study.

The present Protocol Agreement seems to contain in substance and form no clause to which the Government of the Islamic Republic will not fully and readily adhere.

The Foreign Ministry of the Islamic Republic of Mauritania suggests, however, that the following amendment, which would give more particulars as to the manner in which the JOINT ACTION proposed in Article IV of the draft should be envisaged, be proposed on Mauritania's behalf: "Within the framework of campaigns to be undertaken at inter-state level in the struggle against the scourges and disasters common in Africa, such as Malaria and contagious diseases, the World Health Organization and the Organization of African Unity shall consult each other on the preparation, planning and finding of the best methods to be employed in the struggle.

In cases of sudden wide-spread epidemics causing sizeable damage to one or several Member States, the WHO and the OAU shall consult each other on the co-ordination and organizing of ways and means of intervening. If any such technical co-operation would involve substantial expenditure, consultation will take place with a view to determining the most equitable manner of meeting such expenditure.

- 2 -

The Foreign Ministry of the Islamic Republic of Mauritania avails itself of this opportunity to renew to the Secretariat General of the Organization of African Unity the assurances of its highest consideration.

Mouakchott, August 22nd, 1968.

THE OAU SECRETARIAT GENERAL,
ADDIS ABABA,
ETHIOPIA.

MALAWI EMBASSY
ADDIS ABABA

Ref: AA/UN/22

25th October, 1968.

The Embassy of the Republic of Malawi presents its compliments to the General Secretariat of the Organization of African Unity and has the honour to refer to the latter's Note No. CS/ESCHC/20 of 12th July concerning the draft WHO/OAU agreement.

The Embassy of the Republic of Malawi would like to inform the General Secretariat of the Organization of African Unity that the Government of the Republic of Malawi has no comment to make on this agreement.

The Embassy of the Republic of Malawi avails itself of this opportunity to renew to the General Secretariat of the Organization of African Unity the assurances of its highest consideration.

THE GENERAL SECRETARIAT,
ORGANIZATION OF AFRICAN UNITY,
ADDIS ABABA

Republic of Chad

THM/LB

UNITY - WORK - PROGRESS

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MINISTRY OF FOREIGN AFFAIRS
SECRETARIAT GENERAL
Division of International
Affairs and Organizations

October 11th, 1968

No. 2415/AF.ET.HID

Mr. Secretary General of the Organization of African Unity,
Addis Ababa.

I have the honour of informing you that after examining the Draft Agreement between the WHO and the OAU, the Government of Chad has no major objections to raise.

However, the text of Article V "Technical Assistnace or Aid", appears to refer to "a request for technical assistance or aid made jointly by two or more members". In that eventuality, the Government of Chad however would like to raise the following question: Is this understood to include that request for technical assistance or aid by a single member enters under the definition?

Please accept, Mr. Secretary General, the assurances of my highest consideration.

(Sgd) H.M. Guiagoussou
The Acting Secretary General
of the Ministry of Foreign Affairs.

From: The Ministry of Foreign Affairs of the Republic of Mali

Ref. No. 963 AE-DCAT

Date: 7th November, 1968.

The Ministry of Foreign Affairs of the Republic of Mali presents its compliments to the Secretary-General of the Organization of African Unity and has the honour to acknowledge receipt of his letter SC/ESCHC/20 of 12th July, 1968, on the draft Agreement between WHO and OAU.

After examining the seven articles of the said draft, the Government of Mali has no objection to the signing of such an agreement establishing a positive link of technical collaboration with this specialized organ of the UNO.

This instrument, once ratified, will tighten closer co-operation links particularly between the OAU and the WHO regional Bureau for Africa whose annual sessions are regularly held and in the course of which questions of particular nature have always been studied before and within the African group.

The Ministry of Foreign Affairs congratulates the Secretary General on this happy initiative and seizes this opportunity to renew to him the assurance of its highest consideration.

KOULOUBA - 26th October, 1968.

From: The Ministry of Foreign Affairs of the Republic of Central Africa.

Subject: Draft WHO/OAU Agreement

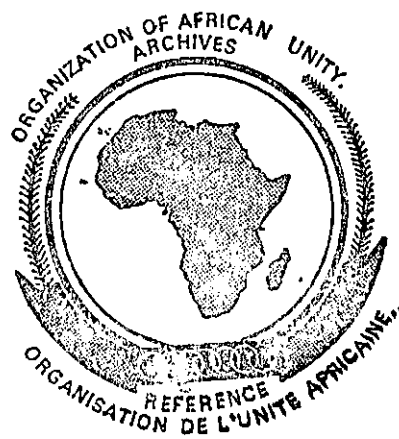
Reference your Note No. SC/ESCHC/20 of 12th July, 1968.

In response to your Note under reference, I have the honour to inform you that after studying the text of the draft agreement between WHO and OAU it seems satisfactory, on technical basis, to the Government of the Central African Republic.

Consequently, the Government of the Central African Republic pronounces in favour of the signing of this agreement between the World Health Organization and the Organization of African Unity.

Please accept, Mr. Secretary General, the assurance of my highest consideration.

M. GOUANDJIA.



1969-02

Draft agreement between the Organization of African Unity and the World Health Organization

Organization of African Unity

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