

**ORGANIZATION OF  
AFRICAN UNITY**

SECRETARIAT

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ADDIS ABABA

**ORGANISATION DE L'UNITE  
AFRICAIN**

SECRETARIAT

B. P. 3243

COUNCIL OF MINISTERS

CM/292/Rev.1

Thirteenth Ordinary Session

Addis Ababa 27th August - 6th September 1969

RAPPORTEUR'S REPORT ON THE THIRTEENTH ORDINARY  
SESSION OF THE COUNCIL OF MINISTERS

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1. OPENING OF THE THIRTEENTH SESSION

The Thirteenth Ordinary Session of the Council of Ministers of the O.A.U. was called to order at 4.15 p.m. on Wednesday 27th August 1969, in Addis Ababa by H.E. Ato Ketema Yifru, Ethiopia's Minister for Foreign Affairs, who had been previously Chairman of the Twelfth Ordinary Session. All the 41 Member States of the O.A.U. were represented.

His Imperial Majesty, Haile Selassie I, the Emperor of Ethiopia performed the formal opening of the Session. In his address to the Council, His Imperial Majesty said that Africa has come a long way to overcome some of its problems, but, it is still faced with "some burning questions". These were spelt out to be colonialism and racism which His Imperial Majesty said "are still rampant in our continent" and Africa must attain a very high degree of unity if it is to be heard in world politics.

The Emperor appealed to the Council for full commitment on all fronts and stressed that the problem of developing Africa must remain the primary responsibility of Africans. Africa has to rely on itself in meeting this challenge and in order to do this, sacrifices will have to be made. In the field of economic and social development, His Imperial Majesty emphasised the need for increasing mutual co-operation and co-ordination at all levels.

The Heads of the Delegations of Niger, United Arab Republic and Uganda proposed votes of thanks to the Emperor for his wise and inspiring address.

## 2. OFFICES OF THE SESSION

After Emperor Haile Selassie's address, the Council of Ministers proceeded to elect offices of the Session. At the proposal of Upper Volta which was seconded by Ghana and amplified by Niger and Madagascar, the following were elected to the Bureau of the Session:-

Chairman:	H.E. Mr. Simon N. Entongou Minister of Foreign Affairs, Cameroon
1st Vice-Chairman	H.E. Mr. Hamidi Ould Mouknass, Minister of Foreign Affairs, Mauritania
2nd Vice-Chairman	H.E. Mr. A.D. Camara, Minister of External Affairs, Gambia
3rd Vice-Chairman	H.E. Mr. Ali Hussein, Minister of Foreign Affairs, Libya
Rapporteur	H.E. Mr. Stephen Mhando, Minister of Foreign Affairs, Tanzania

The Session then adjourned until the following day for the examination and adoption of the Draft Agenda.

## 3. ADOPTION OF THE PROVISIONAL AGENDA:

The Council of Ministers used document CM/269/Rev.1 as a basis for their discussion on the Provisional Agenda. With six addenda attached to it, and in the process of discussions the following necessary amendments were made:-

i) Item 8 on the Provisional Agenda entitled "Consideration of Gambia's request pertaining to its contributions to the OAU budget". The Administrative Secretary-General informed the Council that this item was being withdrawn, as discussions between the General Secretariat and the Government of Gambia were still continuing. When the discussions are finalised, the results will be communicated to the Advisory Committee on Finance.

ii) Item 11 entitled "Application for Observer Status". The Administrative Secretary-General informed the Council that the consideration of the application of the Association of African Universities was being postponed to the next Ordinary Session of the Council of Ministers, in order to give sufficient time for the circulation of the documents in respect of these applications.

iii) Item 17 entitled "Report of the Administrative Secretary-General on the urgent need to provide Equatorial Guinea with Aid." The Council of Ministers accepted a request from the Representative of Equatorial Guinea that discussions on this item be of a restricted nature, at the level of Heads of Delegations only. This item was, however, still retained on the revised agenda as item 16.

iv) Item 22 entitled "Candidature from Sierra Leone for the Security Council (seat to be vacated by Senegal)" was amended to read "Item 21 with the title "Consideration of African Candidatures to the International Organizations". The reasons which became apparent during discussions were that there are many candidates from African States applying for seats in the various U.N. organizations. So it is common-sense to group all candidatures under one heading. Consequently the Council of Ministers accepted proposals that all the applications received in Addis Ababa or from the African Group in New York at the U.N. for support from Member States should be grouped under item 21, as shown in the revised agenda CM/269/Rev.2. The specific applications refer to the U.N. Security Council, ECOSOC, International Court of Justice, UNIDO, U.N. General Assembly and the site for the Regional Office of UNESCO in Africa.

During the discussions on this item, it was observed that some candidatures are submitted to the OAU Secretariat, while others are submitted to the African Group at the U.N. Headquarters in New York. Now as the Council of Ministers

meets only twice, and the Assembly of Heads of State and Government meets only once, every year, the African Group appears to have two advantages: they can meet at any time and can easily consult other non-African Groupings for support. The question therefore whether such an application should or should not be dealt with by the OAU or African Group, depends largely on the nature of the particular application and the circumstances in which it was made. The consensus appeared to be that where there was disagreement in the choice of a candidate due to the desire of many Member States to put forward their own, the case merited reference to the OAU; otherwise it was an accepted practice that ordinary non-controversial application may be processed through the African Group.

(v) At the suggestion of Algeria, a new item entitled "Proposal to widen the composition of the International Court of Justice" was inscribed on the agenda. It was explained that the need for more African representation at the International Court of Justice has been felt for a long time. This proposal was accepted and the item became item 22 on the revised agenda.

(vi) Another new item entitled "Inter-African Co-operation in Legal Matters" was added on the revised agenda, becoming item 23, at the proposal by the Delegation of Ethiopia following a decision by the Council of Ministers to include this item in the agenda.

Thereafter the Council of Ministers adopted the agenda (vide document CM/269/Rev.2).

Under any other business however, the Council accepted Algeria's suggestion for an additional item entitled "Establishment of an African Year Book of International Law".

#### 4. ORGANIZATION OF WORK:

In accordance with normal practice, the Council of Ministers allocated the items on the agenda between the Plenary and the three Working Committees as follows:-

Plenary: 1, 2, 3, 16, 24, 25 and 26

Committee A: Political Matters: 11, 12, 13, 14, 15, 17, 18, 21 and 22

Committee B: Administrative, Financial and Institutional Matters: 4, 5, 6, 7, 8, 9 and 10.

Committee C: Inter-African Co-operation in economic, social, Educational, scientific, cultural and health matters: 19, 20 and 23.

#### 5. REPORT OF THE ADMINISTRATIVE SECRETARY-GENERAL

Having adopted its agenda and allocated items to the various Committees and to the Plenary, the Council of Ministers listened to Part II of the Administrative Secretary-General's Report (Document CM/270 (II) covering the period from February to August, 1969. This document deals in detail with the activities of the Organization's various institutions and especially with those of the General Secretariat in the administrative, institutional, political, economic, social and scientific fields over the seven months since the Council held its last Ordinary Session.

Both this report and the report contained in volume CM/238 (II) covering the period from September 1968 to February 1969 will form the Annual Report to be submitted for approval by the Sixth Ordinary Session of the Heads of State and Government.

As most of the matters covered in the report of the Administrative Secretary-General were also taken up in separate documents due to be discussed by the Council, the Council therefore took note of these reports and directed that any point raised should be discussed in the Working Committees which commenced their work subsequently.

6. PROPOSED AFRICAN YEAR-BOOK OF INTERNATIONAL LAW:

The Plenary resumed its activities at 12.15 p.m. on 4th September 1969, with the Chairman, H.E. Mr. Simon N'Koo Etongou in the chair. It took up an approved item under "Any other Business" entitled: "Establishment of an African Yearbook of International Law" which had been inscribed on the agenda by Algeria. The Council had before it document CM/290 presented and introduced by Algeria on this subject. It was explained that the proposed African Yearbook of International Law would have among its objectives the projection of the realities of the African scene and image into the international body politic, and also provide a forum for the contribution of Africans to international law. To carry out these functions, the proposed Yearbook would include, among other things, theses on international law concerning Africa, regular articles covering current African legal matters, studies on jurisprudence and a diplomatic section covering treaties etc. All the delegates who spoke on this subject congratulated Algeria for the initiative in presenting this important case before the OAU, and called for its acceptance in principle. They also agreed that a thorough prior study of the proposed African Yearbook on International Law will have to be carried out, to cover aspects such as the scope, administration, production, and costs of producing the book regularly. As to who should carry out that study, several proposals were put forward including the OAU Commission of Mediation, Conciliation and Arbitration, the OAU Secretariat, a team of experts and the Society of African Jurists. Each of these were separately examined by the speakers who took the floor, and it was finally agreed that the General Secretariat should carry out the required studies. The Council thereafter accepted in principle to produce an African Yearbook on International Law, and charged the General Secretariat to study the matter in depth, consulting whoever can contribute to this matter including experts voluntarily provided by Member States and to report the results to the Council of Ministers.

7. REPORT OF COMMITTEE 'B' ON ADMINISTRATIVE, FINANCIAL AND RELATED MATTERS:

The Rapporteur of Committee 'B', which was the United Arab Republic, introduced the Committee's report contained in document CM/Cttee B/Rpt (XIII). He indicated that all the recommendations adopted by the Committee were included in the report, which was adopted unanimously. There was a lengthy debate as to whether the report should be considered as a whole or paragraph by paragraph, as some delegations indicated that they had some amendments to propose on some of the paragraphs. In line with the established practice, whereby proposals and reports passed unanimously by the Council's working committee's are not debated but put directly to vote for adoption, the Council of Ministers was invited to adopt the report of the Committee. However, some delegations called for votes on the two proposals. By a vote of 3 for, 23 against and 7 abstaining, the Council rejected the proposal to take the report paragraph by paragraph. By 32 for, none against and 5 abstaining, the Council adopted the report of Committee 'B', which included the recommendation that the proposed review of the structure and salaries for the General Secretariat should "be deferred until the Fourteenth Ordinary Session of the Council of Ministers". A copy of the report of Committee 'B' is attached hereon as Appendix II. After the adoption of the report, the Administrative Secretary-General made a plea calling for an undertaking that whatever is agreed on by the Fourteenth Ordinary Session on salaries will be back-dated to 1st June 1969 otherwise the morale and welfare of OAU staff could be adversely affected. The Council, after some debate, decided to take note of the appeal of the Secretary-General.

8. THE OAU EMBLEM:

According to the recommendation made by Committee "B" on the OAU emblem, design numbered 11 had been given "first choice" and design numbered 16, taken as an alternative choice. It was observed that in selecting number 11, the Committee recommended



some changes to improve the design. The Council then noted that in adopting the report, it had also endorsed the Committee's choice of design No. 11. The selected design will be recommended to the Assembly of Heads of State and Government, and if approved, it should be improved not only as proposed by the Committee but also the map of Africa should be accurate in outline, and should include the Sinai Peninsular, all the islands, particularly Mauritius, Zanzibar, Comoro, Equatorial Guinea and Canary Islands. With this, the Council passed design No. 11 to the Assembly for approval.

9. REPORT OF COMMITTEE 'C' ON INTER-AFRICAN CO-OPERATION IN ECONOMIC, SOCIAL, EDUCATIONAL, SCIENTIFIC, CULTURAL, HEALTH AND IN RELATED MATTERS:

The report and recommendations approved by Committee 'C' as contained in document CM/Cttee C/Rpt (XIII), was introduced by Congo (Brazzaville) which was the Rapporteur. It was reported that two items were specifically referred to the Plenary. The first one concerned the report and recommendations of the First Ordinary Session of the Educational, Scientific, Cultural and Health Commission which had been held from 30th June to 4th July 1969 in Addis Ababa. The second one related to the efforts to establish an All-African Trade Union. The main trends of thoughts in the Committee during the discussions on these two items were reported. The Rapporteur informed the Council that the report and recommendations of the Committee had been adopted unanimously. The Council adopted both the report and recommendations by 39 for none against and none abstaining. Gabon requested that the assurance from the Secretariat that servicing the meeting of the African Group meetings of UNIDO, will not cost extra money, should be recorded and this was accepted.

10. REPORT AND RECOMMENDATIONS OF THE EDUCATIONAL, SCIENTIFIC, CULTURAL AND HEALTH COMMISSION:

The Administrative Secretary-General introduced this subject which had been presented in document CM/287 (Part 1).

He emphasized the need to approve the work of the Commission, so as to give the OAU, areas of activities which would lead to progress of Member States in the fields concerned. Generally speaking, the debate repeated the points which had been advanced during the Committee. By a vote of 28 for, none against and 12 abstaining, the Council of Ministers adopted the report and recommendations of the First Ordinary Session of the Educational, Scientific, Cultural and Health Commission.

11. PROPOSED ALL-AFRICAN TRADE UNION UNITY

The Rapporteur ( Congo-Brazzaville) once again repeated the main ideas which had been expressed during the debate of the Committee on this subject. Also, he repeated the decision of the Committee that any delegation which so wished, could re-introduce the draft resolution that had been rejected, or any other resolution on this matter, to the Plenary. Since no one proposed a specific proposal when the Chairman asked for one, the Chairman ruled that the Council should not take up this case. However, a lengthy debate ensued mainly procedural, and sometimes substantive, on the need to decide on having an All-African Trade Union now. It was finally left open for any delegation to introduce the subject of an All-African Trade Union in the next or subsequent sessions of the Council of Ministers. With this, the Council ended consideration of matters arising from the report of Committee C, a copy of which is attached hereon as Appendix III.

12. REPORT OF COMMITTEE 'A' ON POLITICAL AND DECOLONISATION MATTERS:

The work of Committee A was to be considered in three parts.

- (a) The first part covered two recommendations on Refugees and on the enlarging of the International Court of Justice which had already been adopted. The second part covered the results of the consultations

which Ghana and Nigeria had to undertake privately, so as to decide on which country would go forward as a candidate for ECOSOC. It was reported that the consultations had not yet taken place. It was therefore decided that the results of the consultations should be conveyed to the Secretariat and the Rapporteur of the Session, who will announce the results to the Assembly of Heads of State and Government. Nigerian delegation later announced that Nigeria was withdrawing as a candidate to the ECOSOC in favour of Ghana.

- (b) The third part covered resolutions on apartheid and decolonisation, on the Liberation Committee, on the African Group at the UN Headquarters, and the adoption of the whole report of Committee A on Political and Decolonisation matters.
- (c) A draft resolution on Decolonisation and Apartheid was submitted for consideration by the Council and after the necessary amendments to it which constituted a very lengthy debate, the resolution was adopted.
- (d) The Delegation of Dahomey reserved its country's position on operative paragraph 2. j. of the resolution on apartheid and decolonisation. Also the Delegation of Senegal, reserved its country's opposition on pre-ambular paragraph 4 and on operative paragraph 2. j, and Madagascar, Ivory Coast, Gabon and Upper Volta made similar reservations on these paragraphs.
- (e) Three draft resolutions on the Liberation Committee were brought to the attention of the Council: a resolution prepared by Drafting Committee of Committee A, a resolution submitted by Senegal and a resolution on the same item submitted by Senegal and a resolution on the same item submitted by Tunisia. After considerable discussions on these resolutions, the

Council of Ministers adopted the resolution submitted by Tunisia as amended by Tanzania. This particular resolution proposed to the Council to make recommendations to the Heads of State and Government for the establishment of a Committee responsible for preparing a study on the Liberation Committee after consultations with the African Liberation Movements and the Member States and submitting a report to the Council of Ministers. This resolution was adopted after the necessary amendments had been accepted (See Res.CM/Res.205 (XIII). With deletion of paragraph B on page 7 and paragraph 38, the Council decided to take note of the Report of Committee A, in document CM/Cttee A/Rpt. Rev.1(XIII) - a copy of which is attached hereon as Appendix IV.

After this Algeria introduced a resolution on the future treatment of Governments in Exile. In his explanation, the Leader of the delegation of Algeria explained that in 1964, the OAU had unanimously agreed to recognize the liberation movement GRAE, headed by Holden Roberto, as a government in exile. Since then, certain difficulties had arisen following the emergency of MPLA another liberation movement of Angola. The Algerian resolution made 4 specific recommendations on the future conduct by Member States when faced with such a situation. The Council after some debate on this resolution, decided to vote on this resolution paragraph by paragraph. The result was that the resolution was rejected as it did not obtain the majority required.

- (f) The Council permitted the Delegation of Guinea to read a statement concerning aggression by Portugal on a Guinean ship called "Patrice Lumumba", which had been attacked by several Portuguese boats near Boki, in the territorial waters of the Republic of Guinea.

One person was killed, three were wounded in the attack, and several were detained by the Portuguese. 8 of the latter had since escaped back to Guinea. The Delegation of Guinea called for a condemnation of Portugal for this and similar aggression on Guinea. After a brief debate during which support was expressed for condemning Portugal on the aggression, the Council decided: (a) to send a telegram to President Sekou Toure of Guinea, affirming the solidarity of the OAU with the people of Guinea over this issue, and (b) adopted a resolution on this case which is included among those being presented to the Assembly.

13. THE ADMINISTRATIVE SECRETARY-GENERAL REPORT ON EQUATORIAL GUINEA.

- (a) The Council, composed only of the Heads of delegations heard the report, introduced by the Assistant Secretary, General in charge of Political Affairs, on the Crisis in Equatorial Guinea and the efforts of some OAU Member States and International Institutions to come to the assistance of Equatorial Guinea.
- (b) The Council then heard the representative of Equatorial Guinea who expressed his satisfaction and appreciation of the report of the Secretariat which he described as a correct account on the situation of his country. He also expressed his gratitude for the assistance so far received from the OAU and appealed to Member States to continue giving more assistance as the crisis still existed. Several delegations spoke on the subject and congratulated the Secretariat for taking prompt action on this matter.

- (c) The Council then decided to recommend to the Heads of State and Government the following:-
- (i) Urgent aid be offered to Equatorial Guinea immediately and that a Fund be created to assist the Equatorial Guinea.
  - (ii) A permanent Mutual Assistance Fund should be established so that when a similar need arose, it could be used by other African countries.
  - (iii) That Member States should provide technical assistance to Equatorial Guinea.
  - (iv) That the Administrative General-Secretariat should coordinate this assistance.
- (d) Then the Council considered the Draft Agenda of the Assembly of Heads of State (vide document CM/269/Rev.1) and after the U.A.R. has proposed an additional item entitled "Continued occupation by foreign forces of a part of U.A.R." which was accepted by the Council, the Provisional Agenda was adopted.
- (e) The Administrative Secretary-General then proposed that as there had not been invitation from any Member State for the Fourteenth Session of the Council of Ministers, the venue of this meeting should be Addis Ababa, and the date should be 27th February 1970. The Council accepted these.

Finally, proposal was made by the Council of Ministers to thank His Imperial Majesty, Emperor Haile Selassie, the Government and the people of Ethiopia for playing host to this Session. A similar proposal was made to thank the Chairman of the 13th Session of the Council, the Administrative Secretary-General and his staff for their efficiency in making the Thirteenth Ordinary Session of the Council of Ministers such a success. Thereafter, the 13th Ordinary Session of the Council of Ministers was closed at 2.35 a.m. on 6th September, 1969.

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1969-08-27

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