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CM/391

PROGRESS REPORT ON THE REGULAR PUBLICATION OF AN AFRICAN
YEAR-BOOK OF INTERNATIONAL LAW



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PROGRESS REPORT ON THE REGULAR PUBLICATION OF AN AFRICAN
YEAR-BOOK OF INTERNATIONAL LAW

The question of the regular publication of an African Year-book of International Law has been placed on the Agenda of the Council of Ministers since its Thirteenth Ordinary Session held from 27 August to 6 September 1969 in Addis Ababa.

The inclusion of this question on the agenda of the Council followed a suggestion made by the Algerian delegation at whose request a memorandum document CM/270 - was circulated in support of the proposal.

At that Session, the Council unanimously accepted the principle of the regular publication of an African Year-book of International Law but decided to refer any consideration of the matter to its Fourteenth Ordinary Session. It further requested the Administrative Secretary-General to prepare and submit a report on the financial implications of the publication to its Fourteenth Session.

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During the Fourteenth Ordinary Session of the Council, it was again decided to refer consideration of the matter to the Fifteenth Ordinary Session, since the General Secretariat could not prepare the report required of it by the Council - Decision CM/Dec.73 (XIII). The Council, however, decided (Decision CM/Dec.109 (XIV) that the report of the OAU General Secretariat be prepared "in co-operation with the Governments of Member States, African Universities and Institutes and all other African Institutions concerned with International Law".

In compliance with this decision, the General Secretariat circulated Note No. LEG 80 GEN/791/70 dated 22 June 1970 to all Member States requesting them to forward their views on the question of the regular publication of an African Year-book of International Law. It also asked them to be kind enough to request their Universities and institutions concerned with International Law to make their observations on the matter.

In the Note mentioned above, the General Secretariat drew the attention of Member States to three important aspects of the question, namely : finance, scientific collaboration of African research workers and lastly, whether the

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publication of the Year-book should be the responsibility of one of the Member States to be supported technically, financially and materially by the others or if, on the contrary, OAU should assume its publication with all the inherent implications.

It should also be mentioned that a draft budget proposed by the Algerian Government for the publication of the Year-book in 1970 was attached as annex to the Note in question.

Since there were no replies to its Note, the General Secretariat could only prepare a progress report - Document CM/342 - for the Fifteenth Ordinary Session of the Council. This document was circulated to all Member States in good time.

Under the circumstances, the Fifteenth Ordinary Session of the Council again had no other alternative but to refer consideration of the matter to its Sixteenth Ordinary Session. The Council however, requested Member States "to forward to the General Secretariat their comments on the various implications of publishing an African Year-book of International Law.

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With the position remaining unchanged, since only two States had forwarded their suggestions on the question to the Secretariat, the Administrative Secretary-General did not deem it opportune to place the question on the Agenda of the Sixteenth Ordinary Session of the Council.

Though the question of the regular publication of an African Year-book of International Law has again been placed on the agenda of the Seventeenth Ordinary Session of the Council, the Administrative Secretary-General wishes to draw the attention of Member States to the fact that the position has not in the least changed since the Fifteenth Ordinary Session of the Council.

It therefore behoves the Council of Ministers at its Seventeenth Ordinary Session, to work out best ways and means of finding a proper solution to the question of the publication of an African Year-book of International Law by Member States.

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