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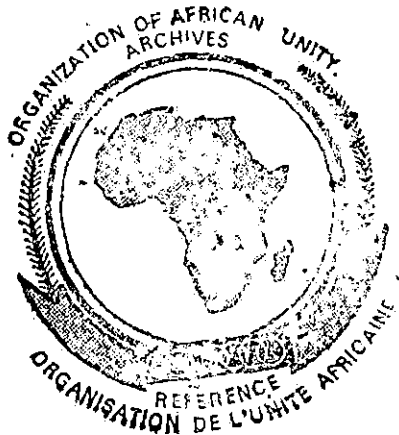
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COUNCIL OF MINISTERS
Twenty-Third Ordinary Session
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Relations between the Conference of African
Labour Ministers and the Organization of African
Unity.

REPORT OF THE ADMINISTRATIVE SECRETARY-GENERAL



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REPORT OF THE ADMINISTRATIVE SECRETARY-GENERAL ON THE
RELATIONSHIP BETWEEN THE CONFERENCE OF AFRICAN LABOUR
MINISTERS AND THE ORGANIZATION OF AFRICAN UNITY

THE ISSUE

1. At its Eleventh Ordinary Session, held in Addis Ababa in May 1973, the Conference of African Labour Ministers decided - Decision MAT/Dec.1(XI) -- that the question of relations between it and the OAU be included on the agenda of its Twelfth Ordinary Session as well as on the agenda of the Eleventh Ordinary Session of the Assembly of Heads of State and Government. The Conference at the same time requested the Administrative Secretary-General to prepare an appropriate report on the question.

2. Accordingly, the Administrative Secretary-General prepared and presented to the Twelfth Ordinary Session of the Conference of African Labour Ministers in Conakry in March 1974, the report annexed hereto (Doc. MAT/4(XII)). The report was discussed at great length by the African Labour Ministers in Conakry. The following notes contain the variety of viewpoints expressed during the debate in Conakry and the conclusions reached by the Conference on the question.

3. The central problem which faces the Conference, and is even thought by some to pose a threat to its very survival is the matter of the financing of ^{its} work and activities. Rule 16 of the Conference's Rules of Procedure provides as follows:

The Budget of the Conference shall be borne by the host Government; it shall be determined after consultation between the latter and the Administrative Secretary-General of the OAU.

The budget provided for in the previous paragraph shall cover inter alia:

- (i) the cost of simultaneous interpretation of debates as well as the cost of translating, printing and distributing documents, reports and resolutions relating to the Conference;

- (ii) the cost of transport and subsistence for members of the OAU General Secretariat and for technical staff whose presence is required to ensure the smooth running of the Conference.

ADMINISTRATIVE SECRETARY-GENERAL'S REPORT

4. In the light of this Rule of Procedure of the Conference, the Administrative Secretary-General, in his report, observed that the Conference might wish to have a budget of its own, to enable it to meet at Headquarters in the absence of any invitation from a Member State or to alleviate the heavy expenses that are generally incurred by the Member States when they host the Conference.

5. Accordingly, he invited the Conference to consider the following possible alternative arrangements in the relations which should exist between the Conference and the OAU:

- (a) the Conference could become an additional institution under Article VII of the OAU Charter, and thus exist as an organ of the OAU dealing with labour and related social questions; or
- (b) it could maintain its present status but have a separate budget of its own; or
- (c) it could become a specialized commission under Article XX of the Charter.

THE DEBATE

6. Many delegations were of the view that the Conference of African Labour Ministers should remain an integral part of the OAU but that it should be autonomous with its own independent budget. A few others, however, were of the view that the Conference was historically older than the OAU itself, and from this perspective, it should be gradually transformed and replaced by an African Labour Organization. This would mean that the Conference would be tripartite in composition, i.e. embodying the African employers, workers and government representatives, much like the ILO.

7. This proposal to transform the Conference into an African Labour Organization was, however, discouraged by most delegations, who pointed out

that it was not necessary to establish a new organization. The present setup, they argued, was satisfactory except that the Conference needed to be autonomous, with a budget of its own. Moreover, they added that it would lead to duplication if a new organization was established with a tripartite character, like the ILO.

8. After a lengthy exchange of views, the conclusion was reached that the Conference of African Labour Ministers should be an institution within the OAU but with its own separate budget, and that its decisions should not be subject to review by the Council of Ministers, but rather that the Council should be informed of the Conference's decisions, particularly those with financial implications, so as to facilitate co-ordination of the work of both institutions of the OAU.

9. One of the factors which the Conference considered with regard to whether or not it should have its own budget is the need to have staff devoted entirely to the affairs of the Conference, especially in between its sessions. Although the 12th Session did not decide specifically that the Conference should have a secretariat of its own, the concensus was that if a separate unit could not be set up to service the work of the Conference as mentioned above, then the Section of the OAU General Secretariat which at present services the work of the Conference should be strengthened.

10. Concerning the financial responsibility of the Member States hosting the Conference, the concensus of the 12th Session was that the procedure now followed by the Council of Ministers should be adopted. In other words, where a Member State hosted the Conference, it should be financially responsible only for the difference in cost between holding the Conference at OAU Headquarters and holding it away from Headquarters.

11. A related matter to this question of the relations between the Conference and the OAU was whether or not the Rules of Procedure of the Conference would need to be amended, either simply in order to bring them up-to-date before printing them in the same form as the Rules of Procedure

of the Council of Ministers and those of the Assembly of Heads of State and Government (AHG), or in conformity with the possible change in the status of the Conference itself, if a decision to that effect was taken.

12. As already indicated, the overwhelming concensus of the 12th Session was that, if necessary, the status of the Conference should change so as to enable it to have a budget of its own. Concerning the amendment to its Rules of Procedure, however, the Conference decided to proceed in two steps. In the first step, they amended at Conakry Rule 21 by adding a new paragraph, which provides that, where a proposal before the Conference is likely to have financial implications, the Secretariat shall inform the Conference of such implications before the Conference takes a decision on the proposal.

13. In the second step, the Conference decided that any amendment, especially to Rules Nos. 8 and 16 of its Rules of Procedure must await the decision of the AHG. In other words, if the AHG takes a decision which changes the status of the Conference in relation to the OAU, then at its next Session, the Conference will make appropriate amendments to the relevant Rules in its Rules of Procedure.

ACTION REQUIRED

14. To facilitate any advice or suggestions which the Council of Ministers might wish to give or make to the Assembly of Heads of State and Government on this question, especially concerning the status of the Conference of African Labour Ministers, the Council's attention is again invited to paragraph 10 above, where possible alternative arrangements are listed. The Council might, however, wish to bear in mind at the same time that the main issue is the question of the financing of the work of the Conference's sessions, as well as the implications of some of the Conference's decisions. What is required, in effect, is a decision on the status of the budget of the Conference.

15. In this regard, two possibilities may be considered:

- (a) the Conference could have its own independent budget, to which the Member States would contribute independently of their contributions to the OAU regular budget, according to some agreed scale of assessment;
- (b) alternatively, a specific provision could be made annually in the OAU regular budget for the financing of the Sessions of the Conference and any other expenses related thereto, such for instance, as the implementation of some of the conference's resolutions.

16. With the foregoing account, the Administrative Secretary-General invites the Council of Ministers to consider this matter and forward to the Assembly of Heads of State and Government advice thereon.

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