

**AFRICAN UNION**

**الاتحاد الأفريقي**



**UNION AFRICAINE**

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**ASSEMBLY OF THE AFRICAN UNION  
SEVENTH ORDINARY SESSION**

**1 – 2 July 2006**

**BANJUL, THE GAMBIA**

**Assembly/AU/Dec.111 – 133 (VII)**

**Assembly/AU/Decl.1 – 4 (VII)**

**DECISIONS AND DECLARATIONS**

**DECISION ON THE NEW FINANCIAL RULES AND  
REGULATIONS OF THE UNION  
DOC. EX.CL/250 (IX)**

**The Assembly:**

1. **TAKES NOTE** of the report and the recommendations of the Executive Council;
2. **ADOPTS** the new Financial Rules and Regulations of the African Union;
3. **REQUESTS** the Chairperson of the Commission to take the necessary measures to implement scrupulously the provisions of the said rules and regulations.

**DECISION ON THE MORATORIUM ON THE RECOGNITION OF  
REGIONAL ECONOMIC COMMUNITIES (RECs)  
DOC. EX.CL/278 (IX)**

**The Assembly:**

1. **TAKES NOTE** of the recommendations of the First Conference of African Ministers in charge of Integration held from 30 to 31 March 2006, in Ouagadougou, Burkina Faso on the Rationalization of Regional Economic Communities (RECs);
2. **REQUESTS** Member States, RECs and the United Nations System, as well as development partners to collaborate closely with the Commission in conducting the rationalization process;
3. **DECIDES** to suspend, until further notice, the recognition of new RECs with the exception of the following eight (8):
  - i) Economic Community of West African States (ECOWAS);
  - ii) Common Market of East and Southern Africa (COMESA);
  - iii) Economic Community of Central African States (ECCAS);
  - iv) Southern African Development Community (SADC);
  - v) Inter-Governmental Authority for Development (IGAD);
  - vi) Arab Maghreb Union (AMU);
  - vii) Economic Community of Sahelo-Saharan States (CEN-SAD); and
  - viii) East African Community (EAC);
4. **URGES** the above-mentioned RECs to coordinate and harmonize their policies among themselves and with the Commission with a view to accelerating Africa's integration process.

**DECISION ON THE INSTITUTIONALIZATION OF THE CONFERENCE  
OF AFRICAN MINISTERS IN CHARGE OF INTEGRATION  
DOC. EX.CL/282 (IX)**

**The Assembly:**

1. **TAKES NOTE** of the Report and the Declaration of the First Conference of African Ministers in charge of Integration held in Ouagadougou, Burkina Faso, from 30 to 31 March 2006, on the Rationalization of Regional Economic Communities (RECs);
2. **MANDATES** the Commission, in collaboration with the United Nations Economic Commission for Africa (ECA), the African Development Bank (ADB) and RECs, to implement the roadmap for the rationalization process (quantification studies of the scenarios, seminars and workshops for the benefit of stakeholders) and submit a report to the Assembly in July 2007;
3. **DECIDES** to institutionalize the Conference of Ministers in charge of Integration which will meet once a year in ordinary session and in extraordinary session when necessary, pending rationalization of the Specialized Technical Committees (STCs).

**DECISION ON AFRICA'S COMMON POSITION TO THE UN GENERAL  
ASSEMBLY SPECIAL SESSION (UNGASS) ON AIDS  
(NEW YORK, 31 MAY – 2 JUNE 2006)  
DOC.ASSEMBLY/AU/5 (VII)**

**The Assembly:**

1. **TAKES NOTE** of the Report;
2. **RECALLS** the 2001 Abuja Declaration and Plan of Action on HIV/AIDS, Tuberculosis and Other Related Infectious Diseases which was Africa's Common Position to the 2001 UN General Assembly Special Session on AIDS;
3. **ALSO RECALLS** the January 2006 Khartoum Decision (EX.CL/Dec.241(VIII)), requesting for the preparation of Africa's Common Position to UNGASS on AIDS aimed at reviewing the 2001 Declaration of Commitment on AIDS;
4. **WELCOMES** the Common Position which was Africa's contribution to the UN General Assembly High Level Meeting on AIDS, and the related Brazzaville Commitment on Scaling Up Towards Universal Access to HIV and AIDS prevention, Treatment, Care and Support in Africa by 2010;
5. **ALSO AWARE** of the complementary role played by partnerships with stakeholders at various levels, including people infected and affected by HIV/AIDS; and **ACKNOWLEDGES** the need for appropriate coordination of partnership and harmonization of Programmes;
6. **NOTES WITH CONCERN** the funding gap for scaling up towards universal access to comprehensive and sustained services to fight HIV/AIDS;
7. **COMMITTED** to the achievement of sustainable access to HIV/AIDS prevention, treatment, care and support, through an integrated and multi-sectoral approach;
8. **RECOGNIZES** the important role of Civil Society Organizations and Development Partners in the fight against HIV/AIDS;

9. **REAFFIRMS** the 2001 Abuja Declaration and Plan of Action on HIV/AIDS, Tuberculosis and Other Related Infectious Diseases, as well as subsequent commitments;
10. **REITERATES** its commitment to the global and African call for universal access to comprehensive services for HIV/AIDS control;
11. **UNDERTAKES** to support the implementation of the commitment in Africa's Common Position and achieve the set targets by 2010 in close partnership with stakeholders at national, regional and international levels;
12. **CALLS UPON** Member States to effectively implement the commitments in the Common Position through an integrated and multisectoral approach, aimed at attaining the targets specified in the Common Position;
13. **ALSO CALLS UPON** Development Partners, through a well-coordinated and harmonized approach, to honour their mandates and/or pledges and make available the needed technical, material and financial support;
14. **REQUESTS** the Commission, in collaboration with the Pan-African Parliament, Regional Economic Communities (RECs) and Development Partners, to coordinate and follow-up on the implementation of the Common Position and report annually to the Assembly;
15. **ALSO REQUESTS** the Commission to launch in collaboration with the AU Conference of Ministers of Health a renewed campaign on the eradication of Malaria and to mobilize the necessary support and resource in that regard.

**DECISION ON ABUJA CALL FOR ACCELERATED ACTION TOWARDS  
UNIVERSAL ACCESS TO HIV/AIDS, TUBERCULOSIS AND  
MALARIA (ATM) SERVICES IN AFRICA**  
**DOC.ASSEMBLY/AU/5 (VII)**

**The Assembly:**

1. **TAKES NOTE** of the Report on the Special Summit on HIV/AIDS, Tuberculosis (TB) and Malaria (Abuja, Nigeria, 2 – 4 May 2006) and the Abuja Call;
2. **RECALLS** the 2000 Abuja Declaration and Plan of Action on Roll Back Malaria, and the 2001 Abuja Declaration on HIV/AIDS, TB and Other Related Infectious Diseases;
3. **WELCOMES** the Abuja + 5 review of the 2000/2001 Abuja Declarations and Plans of Action on Malaria, HIV/AIDS, TB and Other Related Infectious Diseases;
4. **ALSO WELCOMES** the outcome of the UN High Level Meeting to review the 2001 Declaration of Commitment for the fights against HIV/AIDS, TB and Malaria;
5. **NOTES WITH SATISFACTION** the achievements made in the implementation of the 2000/1 commitments for the fights against HIV/AIDS, TB and Malaria;
6. **RECOGNIZING** the various obstacles and challenges faced in this regard;
7. **AWARE** of the solidarity, support and encouragement by partners and stakeholders at national, regional and international level;
8. **DEEPLY CONCERNED** that the collective burden of these diseases on Africa's socio-economic development is still increasing, in spite of registered successes;
9. **ENDORSES** the Abuja Call for Accelerated Action Towards Universal Access to HIV/AIDS, Tuberculosis and Malaria (ATM) Services in Africa;
10. **REAFFIRMS** the 2000/2001 Abuja Declarations and Frameworks for Action, and subsequent commitments for the fight against HIV/AIDS, Tuberculosis and Malaria;

11. **RE-DECLARES** HIV/AIDS, TB and Malaria collectively “as a *State of Emergency in Africa*”:
12. **UNDERTAKES** to lead in and support the implementation of the Abuja Call for Accelerated Action Towards Universal Access to HIV/AIDS, Tuberculosis and Malaria Services in Africa, through, among others, ensuring sustained local funding;
13. **URGES** Member States to further strengthen partnerships with relevant stakeholders and coordinate the realization of a multi-sectoral and integrated approach to disease control;
14. **CALLS UPON** Parliamentarians and Civil Society Organizations to play their role through a coordinated and harmonized approach;
15. **ALSO CALLS UPON** Development Partners to provide sustained, well-coordinated and harmonized support, including fulfilling their commitment for adequate additional funding in global aid by 2010;
16. **REQUESTS** the Commission, in collaboration with the RECs, (Pan-African Parliament) and Development partners to coordinate the implementation of the Abuja Call and report annually to the Assembly.



**DECISION ON THE CONTINENTAL FRAMEWORK FOR HARMONIZATION  
OF APPROACHES AMONG MEMBER STATES, AND INTEGRATION OF  
POLICIES ON HUMAN RIGHTS AND PEOPLE INFECTED  
AND AFFECTED BY HIV/AIDS IN AFRICA  
DOC.ASSEMBLY/AU/5 (VII)**

**The Assembly:**

1. **TAKES NOTE** of the Continental Framework;
2. **RECALLS** the 2001 Abuja Declaration and Plan of Action on HIV/AIDS, Tuberculosis and Other Related Infectious Diseases which highlighted that stigma, silence and denial constituted a major barrier to an effective response to the HIV/AIDS pandemic;
3. **ALSO RECALLS** the request of the 2001 Abuja Summit that a Continental Forum be convened to design a Continental Framework for Harmonization of Approaches among Member States, and Integration of Policies on Human Rights and People Infected and Affected by HIV/AIDS;
4. **RECOGNIZES** the importance of greater involvement of people living with HIV/AIDS at all levels of planning, implementing and monitoring HIV/AIDS Control Policies and Programmes;
5. **ENDORSES** the decision by the 2006 AU Special Summit on HIV/AIDS, Malaria and Tuberculosis which adopted the Framework;
6. **URGES** Member States, using a multi-sectoral approach and in collaboration with Civil Society Organizations (CSOs) and Development Partners, to develop and/or implement appropriate frameworks at national level, based on appropriate provisions in the Continental Framework;
7. **REQUESTS** the Commission in collaboration with the African Committee of Experts on the Rights and Welfare of the Child, the Regional Economic Communities (RECs), the African Commission on Human and People's Rights (ACHPR) and Development Partners, to coordinate and monitor the implementation of the Continental Framework and biennially submit a Progress Report to the ordinary Session of the Executive Council.

**DECISION ON THE SPECIAL SUMMIT OF THE AU ON FERTILIZERS**  
**DOC. ASSEMBLY/AU/6 (VII)**

**The Assembly:**

1. **TAKES NOTE** of the Report;
2. **WELCOMES** the Abuja Declaration on Fertilizer for an African Green Revolution;
3. **ENDORSES** the Abuja Declaration;
4. **CONGRATULATES** President Olusegun Obasanjo and the Government of Nigeria for initiating and hosting the Special Summit and demonstrating a strong commitment by pledging United States Dollars Ten Million (10,000 000) US dollars to the establishment of an Africa Fertilizer Development Financial Mechanism that will be hosted at the African Development Bank (ADB);
5. **URGES** Member States to support the establishment of the Africa Fertilizer Development Financial Mechanism and **ENCOURAGES** them to pledge and contribute resources for its immediate operation;
6. **REQUESTS** the Commission and the New Partnership of Africa's Development (NEPAD) Secretariat in collaboration with the United Nations Economic Commission for Africa (ECA) and ADB to establish follow up mechanisms for the implementation of the Abuja Declaration;
7. **ALSO REQUESTS** the Commission to report on progress made to the Executive Council biannually;
8. **CALLS UPON** Member States to ratify the Convention establishing the African Centre for Fertilizer Development (ACFD), and **REQUESTS** the Commission to strengthen the capacity of the Centre to discharge its mandate on fertilizer development.

**DECISION ON THE DRAFT SINGLE INSTRUMENT ON THE MERGER OF  
THE AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS AND THE  
COURT OF JUSTICE OF THE AFRICAN UNION**  
**DOC. EX.CL/253 (IX)**

**The Assembly:**

1. **ENDORSES** the recommendations of the Executive Council;
2. **REQUESTS** the Commission to convene a meeting of the Ministers of Justice to consider the Draft Protocol on the Statute of the African Court of Justice and Human Rights including the outstanding issues and make appropriate recommendations to Council thereon in January 2007;
3. **FURTHER REQUESTS** the Commission and the PRC to finalize the amendments to the Rules of Procedure of the Assembly, the Executive Council, the PRC and the Statutes of the Commission, as well as the elaboration of the document on the establishment of the AU Commission on International Law and submit a report and Draft texts thereon to the next session of the Executive Council in January 2007.

**DECISION ON WTO NEGOTIATIONS**  
**DOC. EX.CL/283 (IX)**

**The Assembly:**

1. **TAKES NOTE** of the Report;
2. **WELCOMES** the efforts by the Ministers of Trade and African Negotiators in promoting the collective interests of Africa in the World Trade Organization (WTO) Negotiations on the Doha Work Programme and **REQUESTS** them to remain vigilant and steadfast in the protection of these interests in the remaining stages of the negotiations;
3. **EXPRESSES DEEP CONCERN** on the limited progress made so far in the negotiations on issues of major interest to African countries;
4. **EMPHASISES** that any failure to incorporate Africa's needs, interests and concerns within the outcome of the Doha Round will not only undermine Africa's already limited trade opportunities, but also erode the autonomy and ability to pursue trade policies that would serve key developmental objectives such as employment, industrialization, food security, rural development and sustained economic growth in Africa;
5. **REITERATES** that the outcome of the Doha Round will be judged by the extent to which it takes into account the needs, interests and concerns of our countries and **CALLS ON** African Negotiators and Ministers of Trade not to join any consensus that is contrary to the interest of Africa and inconsistent with the developmental mandate of the Doha Round;
6. **ENDORSES** all the recommendations contained in the Nairobi Ministerial Declaration on the Doha Work Programme (April 2006);
7. **WELCOMES** the technical support provided by the Commission and the United Nations Economic Commission for Africa (ECA) to the African negotiators and **REQUESTS** them to continue to provide their technical support to Member States in the course of the negotiations;
8. **REQUESTS ALSO** the Heads of State who will take part in the G8 Summit in St. Petersburg, to seek the support and cooperation of Heads of State of main Member countries of the WTO for Africa's position so as to consolidate Africa's interest in the Doha Round.

**DECISION ON THE ACTIVITIES OF THE PEACE AND SECURITY COUNCIL**  
**OF THE AFRICAN UNION ON THE PEACE AND SECURITY**  
**SITUATION IN AFRICA**  
**DOC.ASSEMBLY/AU/4 (VII)**

**The Assembly:**

1. **TAKES NOTE** of the Report on the Activities of the Peace and Security Council (PSC) of the AU and the peace and security situation in Africa and welcomes the crucial role played by the PSC in conflict prevention and resolution and the increased credibility acquired by this body in the accomplishment of the mandate entrusted to it;
2. **COMMENDS** the progress achieved in the promotion of peace and security in the Continent since the Khartoum Summit in January 2006. In this regard, the Executive Council **EXPRESSES SATISFACTION** at the deepening of the reconciliation process in the Comoros, with the holding of the April-May 2006 presidential elections, significant progress accomplished in the DRC, with the holding of the next general elections which will mark the end of the transition period, and the positive development registered in Mauritania with the holding of the Constitutional Referendum of 25 June 2006. Council **FURTHER EXPRESSES SATISFACTION** at the positive development in Burundi, with the signing on 18 June 2006 of the Dar-es-Salaam Principles of Agreement with a view to achieving lasting peace, security, and stability in Burundi, and the Sudan, with the signing on 5 May 2006 in Abuja of the Darfur Peace Agreement (DPA) and the progress made in the implementation of the Comprehensive Peace Agreement in South Sudan as well as progress made in Cote d'Ivoire in spite of the delay in the implementation of the Roadmap adopted by the Ivorian Government in February 2006;
3. **URGES** the parties concerned in other conflict situations to demonstrate a spirit of necessary compromise and to cooperate with efforts made to facilitate the search for negotiated and lasting solutions.
4. **REQUESTS** the Peace and Security Council to continue efforts with particular emphasis on conflict prevention, by examining potential crisis situation before they degenerate into conflict, and the implementation of peace building programs in countries emerging from conflict on the basis of the Framework Document on Post-Conflict Reconstruction and Development endorsed by the Executive Council;

5. **ALSO REQUESTS** the Peace and Security Council to particularly ensure completion of the implementation of the Continental Peace and Security Framework, in particular, the establishment and the effective functioning of the Panel of the Wise as well as the establishment of the Continental Early-Warning System and the African Defense Force with a view to giving the Continent the required structure and means to meet the challenge of peace and security in Africa.

**DECISION ON THE REPORT OF THE MINISTERIAL CONFERENCE**  
**ON THE AFRICAN YOUTH CHARTER**  
**DOC.EX.CL/262 (IX)**

**The Assembly:**

1. **TAKES NOTE** of the Report;
2. **APPROVES** the recommendations of the Executive Council;
3. **ADOPTS** the African Youth Charter as the legal framework of action for the African Youth;
4. **INVITES** Member States to take appropriate steps for the signing and ratification of the Charter as well as for its popularization.

**DECISION ON STRENGTHENING THE AFRICAN UNION COMMISSION,  
THE ECONOMIC COMMISSION FOR AFRICA AND THE AFRICAN  
DEVELOPMENT BANK PARTNERSHIP**

**The Assembly:**

1. **TAKES NOTE WITH APPRECIATION** of the concerted efforts of the Chairperson of the Commission, the Executive Secretary of the Economic Commission for Africa (ECA) and the President of the African Development Bank (ADB), to strengthen the cooperation among the three African leading development organizations to coordinate African development strategies and programmes;
2. **EMPHASIZES** the need for concerted efforts and support to fulfill the commitments within the United Nations family to address the special needs of African countries notwithstanding progress made towards achieving several of the Millennium Development Goals (MDGs) by 2015;
3. **WELCOMES** the commitment of the Executive Secretary of ECA, to strengthening and repositioning ECA to address Africa's development challenges;
4. **REAFFIRMS** the role of the Economic Commission for Africa as a key and necessary United Nations institution in Africa to assist and facilitate the work of the AU and the RECs in defining, articulating, advocating common positions on development policies and issues and goals, and in promoting and supporting social economic development in Africa;
5. **STRESSES** the importance of effective management and coordination of United Nations activities in Africa, and in this regard, **REQUESTS** the UN Secretary-General to enhance the coordination role played by the Economic Commission for Africa and its Executive Secretary to strengthen United Nations System-wide coherence for an effective support to the African Union and its programme NEPAD.



**DECISION ON THE UNION GOVERNMENT**  
**DOC. ASSEMBLY/AU/2(VII)**

The Assembly :

1. **TAKES NOTE** of the Report of the Committee of Seven on an African Union Government towards the United States of Africa;
2. **COMMENDS** the Committee of Seven and the Commission for the good work accomplished so far;
3. **REQUESTS** the Commission to convene an Extraordinary Session of the Executive Council as soon as possible to consider the Report and propose an appropriate framework for action;
4. **DIRECTS** that financial resources be provided for the implementation of this decision.

**DECISION ON THE INTEGRATION OF NEPAD INTO THE STRUCTURE  
AND THE PROCESSES OF THE AFRICAN UNION**  
**DOC. ASSEMBLY/AU/8 (VII)**

**The Assembly:**

1. **TAKES NOTE** of the Report of the Chairperson of the NEPAD Heads of State and Government Implementation Committee (HSGIC);
2. **DECIDES** to extend the deadline of three years set in Maputo in July 2003, to January 2007, that is, an additional of six months;
3. **FURTHER DECIDES** to set up a committee comprising the Chairman of the Union, the Chairperson of the Commission, the Chairman of the HSGIC and President Thabo Mbeki of South Africa, the Chief Executive Officer of NEPAD Secretariat as well as the Vice-Chairpersons of HSGIC to:
  - i) finalize the proposal on the integration of NEPAD into the AU structure and processes;
  - ii) conduct an evaluation of NEPAD at its current stage;
  - iii) propose a realignment of NEPAD to its original objectives, mandate and philosophy.
4. **REQUESTS** the Committee to report to the Assembly at its next ordinary session in January 2007.

**DECISION ON AFRICAN COMMON POSITION ON**  
**MIGRATION AND DEVELOPMENT**  
**DOC. EX.CL/277 (IX)**

**The Assembly:**

1. **TAKES NOTE** of the recommendations of the Executive Council;
2. **ENDORSES** the African Common Position on Migration and Development;
3. **URGES** Member States to implement the Common Position;
4. **REQUESTS** the Commission to convene as soon as possible the Ministerial Conference on Migration and Development to be held in Libya.

**DECISION ON STRENGTHENING AFRICA'S REPRESENTATION  
IN THE BRETTON WOODS INSTITUTIONS**

The Assembly:

1. **EXPRESSES GRAVE CONCERN** over Africa's poor representation in the decision-making organs of international institutions including the Bretton Woods Institutions;
2. **REQUESTS** the Chairperson of the Commission to take the necessary measures to convene a special meeting of Ministers in charge of relations with the Bretton Woods Institutions, with a view to elaborating a strategy that will enable Africa remedy the situation. The meeting should be held preferably before the annual meetings of these institutions due to take place in Singapore in September 2006.

**DECISION ON THE HISSÈNE HABRÉ CASE AND THE AFRICAN UNION**  
**DOC. ASSEMBLY/AU/3 (VII)**

The Assembly:

1. **REFERRING** to its Decision Assembly/AU/Dec.103 (VI) taken in Khartoum, The Sudan, in January 2006;
2. **TAKES NOTE** of the Report presented by the Committee of Eminent African Jurists appointed in conformity with the above-mentioned Decision;
3. **OBSERVES** that, according to the terms of Articles 3 (h), 4 (h) and 4 (o) of the Constitutive Act of the African Union, the crimes of which Hissène Habré is accused fall within the competence of the African Union;
4. **CONSIDERING** that, in its present state, the African Union has no legal organ competent to try Hissène Habré;
5. **CONSIDERING** the jurisdiction of the International Court of Justice in this case, and the ratification by Senegal of the United Nations Convention Against Torture;
  - i) **DECIDES** to consider the Hissène Habré Case as falling within the competence of the African Union;
  - ii) **MANDATES** the Republic of Senegal to prosecute and ensure that Hissène Habré is tried, on behalf of Africa, by a competent Senegalese court with guarantees for fair trial;
  - iii) **FURTHER MANDATES** the Chairperson of the Union, in consultation with the Chairperson of the Commission, to provide Senegal with the necessary assistance for the effective conduct of the trial;
  - iv) **REQUESTS** all the Member States to cooperate with the Government of Senegal on this matter;
  - v) **CALLS UPON** the International Community to avail its support to the Government of Senegal.

**DECISION ON THE HOLDING OF THE FIRST**  
**AFRICA-SOUTH AMERICA SUMMIT**

The Assembly:

1. **TAKES NOTE** of the information provided by the Government of the Federal Republic of Nigeria on the preparation for the First Africa-South America Summit;
2. **RECALLS** its decision taken in Khartoum on the matter;
3. **CONFIRMS** that the Summit will take place in Abuja, Nigeria, from 30 November to 1<sup>st</sup> December 2006;
4. **URGES** all Member States to take all necessary measures to participate massively in the Summit;
5. **REQUESTS** the Government of Nigeria and the Commission to take all measures to ensure a successful Summit.

**DECISION ON REVISION OF SYMBOLS TAKEN OVER FROM THE OAU  
AND CREATION OF NEW SYMBOLS WHICH DISTINGUISH THE UNION  
FROM THE OAU - FLAG OF THE UNION  
DOC. ASSEMBLY/AU/3 (VII)**

**The Assembly:**

1. **TAKES NOTE** of the Report and proposals of the Commission;
2. **REQUESTS** the Committee of Seven Heads of State and Government to review the proposals and submit recommendations to the next Ordinary Session of the Assembly in January 2007.

**DECISION ON THE AFRICAN CONTINENT AS A  
SINGLE UNITED ENTITY  
DOC. ASSEMBLY/AU/3 (VII)**

**The Assembly:**

1. **TAKES NOTE** of the Report of the Commission on the Non-Assimilation of North Africa to the Middle-East with regard to the domination, content and concept;
2. **APPROVES** the recommendation of the Commission;
3. **MANDATES** the Chairperson of the Commission to take necessary steps to ensure the implementation of this decision.



**DECISION ON OTHER ITEMS PROPOSED BY MEMBER STATES**  
**TO THE SIXTH ORDINARY SESSION OF THE ASSEMBLY**  
**DOC. ASSEMBLY/AU/3 (VII)**

**The Assembly:**

1. **TAKES NOTE** of the Report of the Commission and;

On Holding of Bilateral Summits between Africa and Certain States  
and the Establishment of a Mechanism to participate in the Summits

2. **ENDORSES** in principle the recommendations of the Commission;

3. **RECOGNIZES** the need for Member States to fulfil prior commitments and obligations associated with China-Africa Summit of 2006;

On Non-Submission of Decisions taken by the African Union Summits  
to the Usual Ratification Mechanisms of Member States of the Union

4. **REQUESTS** Member States to give urgent priority to the ratification of treaties, protocols, charters and conventions adopted by the African Union including seeking to present them to the first sitting of their respective parliaments and/or other appropriate organs immediately after their adoption;

5. **ALSO REQUESTS** the Commission and the Pan-African Parliament to consider ways and means of accelerating this process and submit appropriate recommendations to the next Ordinary Session of the Assembly;

On the Creation of a Pan-African Stock Exchange with a Seat in Egypt or South Africa, the Status of the UN Regional Center for Peace and Disarmament, Marking of the Emancipation Day, Establishment of an Educational, Scientific, and Cultural Organization, International Year of the Football, France-Africa Summit, Migration and Development, Ratification of the Treaty of Pelindaba.

6. **COMMENDS** the effort of the Commission to implement the decisions taken by the Assembly at its 6<sup>th</sup> Ordinary Session with respect to issues brought to its attention by Member States;

7. **APPROVES** the recommendations and proposals of the Commission in various regards;

8. **DECIDES** that necessary budgetary support be provided to enable full implementation of the decisions in the areas identified;
9. **DECIDES ALSO** that, in accordance with existing provisions, any proposal requiring fund for implementation, should be accompanied with the necessary budgetary provision.

**DECISION ON THE PROPOSAL TO ESTABLISH A FUND WITHIN THE  
AFRICAN UNION TO ALLEVIATE THE INCREASE IN OIL PRICE ON THE  
POOR AFRICAN COUNTRIES AND THE COORDINATION  
OF AFRICAN OIL POLICIES  
DOC. ASSEMBLY/AU/3 (VII)**

**The Assembly:**

1. **TAKES NOTE** of the Report and Proposal of the Commission;
2. **RECOGNIZES** the need to alleviate the impact of the increase in oil prices on the poor African States;
3. **REQUESTS** the First Meeting of Ministers responsible for Oil and Gas due to be held in Cairo, Egypt, in November 2006, to study the issue in depth and present a detailed Strategy for cooperation and solidarity between oil producing and non-oil producing African countries with a view to:
  - i) Mitigating the effects of high oil prices on the economies of poor non-oil producing African countries;
  - ii) Maximizing oil revenues for oil producing African countries; and
  - iii) Enhancing the quantity and quality of refined oil products in Africa in order to meet the development objectives of the Continent.
4. **FURTHER REQUESTS** the Chairperson of the Commission to provide a detailed report on the outcome of the Meeting of African Ministers responsible for Oil and Gas to the next Ordinary Session of the Assembly in January 2006.

**DECISION ON “ENACTING LEGISLATION TO GOVERN, AND  
ENSURE RESPECT FOR, SOCIAL LIFE IN AFRICA”**  
**DOC. ASSEMBLY/AU/9 (VII) ADD.4**

**The Assembly:**

1. **TAKES NOTE WITH APPRECIATION** of the proposal of the Great Socialist Libyan Arab Jamahiriya, concerning “Enacting Legislation to Govern and Ensure Respect for Social Life in Africa”;
2. **PAYS TRIBUTE** to the Great Jamahiriya for this initiative that reveals a future vision aiming at promoting family relations and ensuring legal protection of the rights and obligations of the two main parties, i.e. man and woman;
3. **REQUESTS** the Chairperson of the Commission to establish a panel of experts to carry out a study on the matter and report to the conference at its July 2007 Ordinary Session.

**DECLARATION ON UNCTAD AND UNIDO**

**We**, the Heads of State and Government of the Member States of the African Union, meeting during the Seventh Ordinary Session of our Assembly to deliberate upon key issues relating to the economic development of our continent;

**Conscious** of the critical importance of improved performance in the areas of trade and productive capacities building for the effective integration of our countries into the global economy, the achievement of rapid and sustainable economic development, and the eradication of poverty among our peoples;

**Recalling** that the United Nations Conference on Trade and Development (UNCTAD) and the United Nations Industrial Development Organization (UNIDO) are the two major international organizations that were established to support developing countries in their efforts to mainstream trade into development and promote industrial development;

**Convinced** of the continued relevance of the mandates of UNCTAD and UNIDO in meeting Africa's challenge of economic development and poverty eradication in the current era of globalization;

**Call for**, in the context of the reform of the United Nations (UN) system, the strengthening of UNCTAD and UNIDO with a view to enhancing their capacity building support to developing countries for the promotion of trade and industrialization.

## **DECLARATION ON THE SITUATION IN SOMALIA**

**We**, the Heads of State and Government of the African Union, meeting at our 7<sup>th</sup> Ordinary Session, in Banjul, The Gambia, deliberated extensively on the situation in Somalia and adopted the following Declaration:

### **The Assembly,**

- **Conscious** of the unfolding situation in Somalia, which threatens to unleash fresh confrontations with far reaching consequences on the ongoing efforts at dialogue and the entire peace and reconciliation process in the country, as well as for security and stability of the region as a whole;
  - **Convinced** that the time has come to turn over the page of the conflict in Somalia and to put in place effective institutions of State in that country;
  - **Recalling** its previous decisions on the situation in Somalia, as well as those of the Inter-Governmental Authority on Development (IGAD) and the AU Peace and Security Council (PSC) on Somalia.
1. **REITERATES ITS FULL SUPPORT** to the Transitional Federal Institutions (TFIs), in particular, the Transitional Federal Government (TFG), as the legitimate Government of Somalia and pledges its commitment to do everything possible to enable the TFIs fulfill their national obligations and responsibilities in bringing about peace and security in Somalia and in ensuring the reconstruction of the country;
  2. **STRONGLY APPEALS** to all concerned within Somalia to refrain from any action likely to aggravate the situation and to maintain the cessation of hostilities. The Assembly **FURTHER APPEALS** to all the stakeholders to seek the path of dialogue as the only way to resolve differences and to extend the necessary cooperation to the Transitional Federal Government (TFG), in order to achieve lasting peace and reconciliation in the country. In this respect, the Assembly **WELCOMES** the preliminary agreement reached between the TFG and the Union of Islamic Courts (UIC), following the meeting held in Khartoum, the Sudan, on 22 June 2006, under the auspices of the League of Arab States and **URGES** the parties to uphold their commitments, bearing in mind the need for full compliance with the Transitional Federal Charter (TFC) of Somalia;
  3. **URGES** the international community to provide the necessary assistance to the Transitional Federal Institutions (TFIs) to enable them fully assume their responsibilities, with a view to achieving reconciliation and restoring

lasting peace and stability, as well as undertaking the reconstruction of Somalia. The Assembly **STRESSES** that any initiative on Somalia should fully involve the AU and the IGAD, given their active implication in the Somalia peace and reconciliation process;

4. **FULLY SUPPORTS** the initiatives taken by IGAD, including the communiqué issued by the Extraordinary Session of the IGAD Council of Ministers, held in Nairobi on 13 June 2006, as well as the central role of IGAD in the efforts aimed at consolidating the outcomes of the Somalia National Reconciliation Conference;
5. **REQUESTS** the Commission, working closely with the IGAD, to take all necessary steps for the early deployment of IGASOM in Somalia, to be subsequently taken over the AU, as provided for in decision PSC/PR/Comm.(XXIX) adopted by the 29<sup>th</sup> meeting of the Peace and Security Council held on 12 May 2005. In this regard, the Assembly **REQUESTS** the Security Council to provide an exemption to the arms embargo imposed on Somalia by resolution 733 (1992) of 23 January 1992, to pave way for the deployment of IGASOM and facilitate the re-establishment of the national security forces of Somalia. The Assembly **WELCOMES** the adoption by the Transitional Federal Parliament (TFP), on 14 June 2006, of the National Security and Stabilization Plan (NSSP) providing a framework for the overall pacification of the country;
6. **ENDORSES** the conclusions of the consultative meeting between the African Union (AU), the Inter-Governmental Authority on Development (IGAD) and the International Partners on the Somalia Reconciliation and Peace Process, convened by the Commission and IGAD, in Addis Ababa, on 19 June 2006;
7. **INVITES** AU partners to provide the requisite political, financial and logistical support to facilitate the successful conclusion of the peace and reconciliation process in Somalia, including the deployment of a peace support mission in the country. In this regard, the Assembly **STRESSES** the important role of the Coordination and Monitoring Committee (CMC) and **WELCOMES** the ongoing efforts to convene a Donors' Conference on Somalia;
8. **APPEALS** to the international community to provide the required humanitarian assistance to the populations in Somalia, and **CALLS ON** all parties in the country to respect international humanitarian law and to facilitate access to the populations in need, as well as the protection of humanitarian workers.

**BANJUL DECLARATION ON THE 25<sup>TH</sup> ANNIVERSARY OF THE  
AFRICAN CHARTER ON HUMAN AND PEOPLES' RIGHTS**

**We** the Heads of State and Government of the African Union meeting in the 7<sup>th</sup> Ordinary Session of the Assembly, held in Banjul, The Gambia from 1<sup>st</sup> – 2<sup>nd</sup> July 2006;

**Noting** the fact that this year marks the Twenty-fifth Anniversary of the adoption of the African Charter on Human and Peoples' Rights (the African Charter) by the Eighteenth Assembly of Heads of State and Government, in June 1981 in Nairobi, Kenya, and the twentieth year since it entered into force in 1986.

**Recalling** the firm conviction of the Member States of the Organization of African Unity in their duty to protect human rights and freedoms and taking into account the importance traditionally attached to these rights and freedoms in Africa, against the backdrop of their efforts to achieve the total liberation of Africa, the people's of which were still struggling for their dignity and genuine independence, undertaking to eliminate colonialism, neo-colonialism, apartheid, Zionism and to dismantle aggressive foreign military bases and all forms of discrimination on basis namely of race, ethnic group, color, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or other status.

**Considering** the contribution of the adoption of the African Charter to the promotion and protection of human and people's rights in Africa.

**Bearing in mind** that today the wisdom of having taken this decision continues to demonstrate itself in view of the fact that the African Charter has provided a legal framework for the promotion and protection of human and peoples' rights on our Continent and development of the jurisprudence of the African Commission on Human and People's Rights (ACHPR) attests to this achievement.

**Also Recalling** the decisions of the African Union whereby we expressed the need for the ACHPR to be provided with adequate human, material and financial resources to enable it effectively fulfill its mandate under the Charter.

**Further Recalling** the decisions at our Assembly to review the operation and composition of the ACHPR with a view to strengthening its independence and operational integrity and ensuring appropriate gender representation.

**Noting** that the African Charter has contributed to the development of human rights norms on the continent, including the adoption of supplementary instruments such as the African Charter on the Rights and Welfare of the Child and the Protocols on the establishment of the African Court on Human and Peoples' Rights and on the Rights of Women.



**Recognizing** that all Member States have ratified the African Charter which makes us all Parties to the African Charter.

**Expressing** our appreciation to the ACHPR, which also commemorates its Twentieth Anniversary this year, for the laudable role it has played, in collaboration with its partners, particularly civil society organizations and national human rights institutions; in ensuring the promotion and protection of human and peoples' rights in Africa, in accordance with the African Charter.

**Cognizant** of the fact that poverty and human rights violations are among the root causes of conflicts on our Continent, and wishing to seize the opportunity of the occasion of this Anniversary of the African Charter to re-dedicate ourselves to the promotion and protection of human and peoples' rights on the Continent:

1. **Express** great satisfaction at the positive contributions made by the African Charter towards the promotion and protection of human rights in Africa.
2. **Reiterate** our unflinching determination to promote and protect human and people's rights and all basic freedoms in Africa as well as our full support to the work of the ACHPR and all human rights treaty bodies established on the Continent.
3. **Commit** ourselves to undertake the necessary measures to respect and guarantee the independence of the ACHPR, as well as to provide it with the necessary human and financial resources, in order to enable it effectively discharge its functions.
4. **Urge** Member States to take the necessary steps to fulfill their obligations under the African Charter and other human rights instruments to which they are parties, in particular, the implementation of decisions and recommendations of human rights treaty-bodies.
5. **Welcome and express our full support** to the newly established African Court on Human and Peoples' Rights whose role is to complement ACHPR in its human rights protective mandate and **commit ourselves** to provide the necessary human and financial resources to allow the new Court to discharge its functions effectively and efficiently as well as to fully cooperate with and render all the necessary assistance to the Court.
6. **Take note** of the recent developments of the ongoing process of the merger of the Court of Justice of the African Union and the African Court on Human and Peoples' Rights in order to rationalize

our institutions, ensure cost effectiveness and avoid unnecessary duplications.

7. **Rededicate** ourselves to ensuring respect for human and peoples' rights as a pre-requisite for the attainment of our common vision of a united and prosperous Africa, **and reaffirm** our confidence in the ACHPR.

**TRIBUTE TO MR. KOFI ANNAN, SECRETARY GENERAL OF THE  
UNITED NATIONS**

**We**, the Heads of State and Government, meeting in the 7<sup>th</sup> Ordinary Session of our Assembly, noting that the second term of office of our brother Kofi Annan as Secretary General of the United Nations Organization is drawing to a close, pay special tribute to Mr. Kofi Annan who, as Secretary General, for two consecutive mandates, has presided over the destiny of the world, a globalized world undergoing constant change in which challenges to be addressed formed the daily lot of his preoccupations. He has in these instances demonstrated outstanding competence in finding appropriate solutions to these various challenges.

We have noted with appreciation his initiatives in contributing to the economic and social development of our continent through the Millennium Development Goals (MDGs). Also noteworthy is the daunting dossier he launched for the reform of the United Nations and particularly the Security Council. The reform of the Security Council based on the principles of equity, justice and representation, should enable Africa regain its rightful place in the concert of Nations and above all increase its influence in the world and in the decision-making bodies of the UN including the Security Council.

Mr. Kofi Annan, the illustrious son of Africa, has in his ten years at the helm of the UN, honoured our continent; held high the torch of justice and demonstrated self-abnegation and modesty that characterized his two mandates. He has honoured Africa in all corners of the World, and has been present in the battlefields and in conflict areas where his interventions were exemplary and crucial.

We, therefore avail ourselves of this opportunity to pay solemn and well-deserved tribute to Mr. Kofi Annan and express all our pride in him, an illustrious son of the Continent, a citizen of the World and indeed a great man in the service of the entire humanity.

## **TABLE OF CONTENTS**

<b>NO.</b>	<b>DECISION NO.</b>	<b>TITLE</b>	<b>PAGES</b>
1.	Assembly/AU/Dec.111(VII)	Decision on the New Financial Rules and Regulations of the Union - Doc. EX.CL/250 (IX)	1
2.	Assembly/AU/ Dec.112(VII)	Decision on the Moratorium on the Recognition of Regional Economic Communities (RECs)	1
3.	Assembly/AU/ Dec.113(VII)	Decision on the Institutionalization of the Conference of African Ministers in charge of Integration - Doc. EX.CL/282(IX)	1
4.	Assembly/AU/ Dec.114(VII)	Decision on the Africa's Common Position to the UN General Assembly Special Session (UNGASS) on Aids (New York, 31 May – 2 June 2006) – Doc.Assembly/AU/5 (VII)	2
5.	Assembly/AU/ Dec.115(VII)	Decision on Abuja Call for Accelerated Action Towards Universal Access to HIV/AIDS, Tuberculosis and Malaria (ATM) Services in Africa – Doc.Assembly/AU/5 (VII)	2
6.	Assembly/AU/ Dec.116(VII)	Decision on the Continental Framework for Harmonization of Approaches among Member States, and Integration of Policies on Human Rights and People Infected and Affected by HIV/AIDS in Africa – Doc.Assembly/AU/5 (VII)	1
7.	Assembly/AU/ Dec.117(VII)	Decision on the Special Summit of the AU on Fertilizers - Doc. AssemblyAU/6(VII)	1
8.	Assembly/AU/ Dec.118(VII)	Decision on the Draft Single Instrument on the Merger of the African Court on Human and Peoples' Rights and the Court of Justice of the African Union - Doc. EX.CL/253 (IX)	1
9.	Assembly/AU/ Dec.119(VII)	Decision on the WTO Negotiations Doc. EX.CL/283 (IX)	1

<b>NO.</b>	<b>DECISION NO.</b>	<b>TITLE</b>	<b>PAGES</b>
10.	Assembly/AU/ Dec.120(VII)	Decision on the Activities of the Peace and Security Council of the African Union on the Peace and Security Situation in Africa Doc. Assembly/AU/4(VII)	2
11.	Assembly/AU/ Dec.121(VII)	Decision on the Report of the Ministerial Conference on the African Youth Charter Doc. EX.CL/262 (IX)	1
12.	Assembly/AU/ Dec.122(VII)	Decision on Strengthening the African Union Commission, the Economic Commission for Africa and The African Development Bank Partnership	1
13.	Assembly/AU/ Dec.123(VII)	Decision on the Union Government Doc. Assembly/AU/2(VII)	1
14.	Assembly/AU/ Dec.124(VII)	Decision on the Integration of NEPAD into the Structure and the Processes of the African Union Doc. Assembly/AU/8(VII)	1
15.	Assembly/AU/ Dec.125(VII)	Decision on African Common Position on Migration and Development Doc. EX.CL/277 (IX)	1
16.	Assembly/AU/ Dec.126(VII)	Decision on Strengthening Africa's Representation in the Bretton Woods Institutions Doc. Assembly/AU/Draft/Dec.18 (VII)	1
17.	Assembly/AU/ Dec.127(VII)	Decision on the Hissène Habré Case and the African Union	1
18.	Assembly/AU/ Dec.128(VII)	Decision on the Holding of the First Africa-South America Summit	1
19.	Assembly/AU/ Dec.129(VII)	Decision on Revision of Symbols Taken over from the OAU and Creation of New Symbols which Distinguish the Union from the OAU – Flag of the Union	1
20.	Assembly/AU/ Dec.130(VII)	Decision on the African Continent as a Single United Entity	1

<b>NO.</b>	<b>DECISION NO.</b>	<b>TITLE</b>	<b>PAGES</b>
21.	Assembly/AU/Dec.131(VII)	Decision on other Items Proposed by Member States to the Sixth Ordinary Session of the Assembly	2
22.	Assembly/AU/Dec.132(VII)	Decision on the Proposal to Establish a Fund within the African Union to Alleviate the Increase in Oil Price on the Poor African Countries and the Coordination of African Oil Policies	1
23.	Assembly/AU/Dec.133 (VII)	Decision on "Enacting Legislation to Govern, and Ensure Respect for, Social Life in Africa" Doc. Assembly/AU/9 (VII) Add.4	
<b>DECLARATIONS</b>			
1.	Assembly/AU/Decl.1 (VII)	Declaration on UNCTAD and UNIDO	1
2.	Assembly/AU/Decl.2 (VII)	Declaration on the Situation in Somalia	2
3.	Assembly/AU/Decl.3 (VII)	Banjul Declaration on the 25 <sup>th</sup> Anniversary of the African Charter on Human and Peoples' Rights	3
4.	Assembly/AU/Decl.4 (VII)	Declaration Tribute to Mr. Kofi Annan, Secretary General of the United Nations	1

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# Decision on the moratorium on the Recognition of Regional Economic Communities (RECs) DOC. EX.CL/278 (IX)

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