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Secretariat

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**ORGANISATION DE L'UNITE
AFRICAIN**

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B. P. 3243

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REPORT OF THE RAPPORTEUR OF THE PROGRAMME COMMITTEE
ON THE CELEBRATION OF THE TENTH ANNIVERSARY
OF THE OAU



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INTRODUCTION

The Programme Committee which was established by a Decision of the Eighth Assembly of Heads of State and Government (AHG/Dec 61-VLLL) was initially composed of Cameroon, Egypt, Ethiopia and Senegal and later enlarged to include more member states is comprised of the following members:

BOTSWANA
CAMEROON (RAPPORTEUR)
EGYPT
ETHIOPIA
GHANA
NIGERIA
RWANDA
SENEGAL (CHAIRMAN)
SIERRA LEONE
SOMALIA

2. The Committee so constituted was charged with the task of planning and organizing the activities for the Celebration of the 10th Anniversary as well as drawing up a programme of events.
3. Within the framework of these terms of reference the Programme Committee provided for and organized a number of activities including, inter alia, the production of a film on the OAU whose first part (the historical) was scheduled to be shown as part of the manifestations planned for the celebration. In this context provision was also made for the minting of special Medallions for presentation to the Heads of States and Government and award to other African personalities who have rendered outstanding services to Africa. In addition commemorative medals in gold, silver and bronze were minted for sale to the public. The proceeds of the sale after deduction of the cost were meant to be donated to the Liberation Movement Fund.

- 2 -

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4. While most of the activities and manifestations provided for the celebration were implemented as scheduled the project of the film and the sale of the medals have so far remained ~~incomplete~~.

5. As regards the film, it should be recalled that this was generally conceived to comprise of two complementary parts. The first part, which was scheduled to be achieved and delivered in time to be shown during the celebrations, was to constitute a review of the history of the struggle of the African peoples for independence, of the historical events leading to the establishment of the OAU; the achievements of the independent African States as well as the life and activities of the OAU since its creation, particularly its role in the field of assistance to liberation movements; its contribution to the maintenance of peace in Africa and in the rest of the world including interafrican and international cooperation. Finally, the second part was to focus the events marking the celebration of the 10th Anniversary.

6. Within this wide context based on the central theme of "Freedom in Unity" the film was intended to reflect a balanced representation of Africa taking into account the various historical, political, geographical and linguistic factors which characterize the composition of the OAU.

7. The technical characteristics of the film were agreed to be as follows:

35 mm

colour techniscope

length: two hours

languages: three (Arabic, French and English)

- 3 -

The cost of the film was fixed at US\$200,000.- to be paid as follows:

Initial payment	US\$100,000
upon delivery of first	
part	" 50,000
" final delivery	" 50,000

8. The first part of the film was submitted to and viewed by members of the Programme Committee and the Secretariat before the date of the celebration of the 10th Anniversary. The resulting verdict was unsatisfactory. The idea of showing the first part of the film during the celebration was therefore abandoned and a meeting between the Committee and the Producer convened to discuss the shortcomings thereof.

9. During this meeting which took place in June 1, 1973 the Committee drew the attention of the Producer to the insufficiencies of the film with respect to representational balance and the sequences of the scenes which the Producer was requested and accepted, to correct. In this connection the Committee considered it necessary to request the Secretary General to engage the services of an expert who would be charged with the supervision of the film as regards the proper rendition of the scenario and of the comments made by the Committee. This arrangement was accepted by the Producer provided that the expert to be appointed should be empowered to sign approval for the film, and provided further that his supervision shall not interfere with the artistic conception of the same. Accordingly the Secretary General, on the advise of the Pan African Federation of Film Producers, appointed an expert in the person of Mr. Gilbert Minot of Guinea, to assume the responsibility described above.

10. These developments resulted in the stopping of the payment of the second portion which under the contract should have been effected/ upon the delivery of the first part of the film on May 15, 1973.

11. While awaiting the delivery of the revised film the Secretary General received a communication from the Producer informing him that failing the immediate payment of the second portion he would find himself compelled, for pressing financial reasons, to stop the production of the film. Consequently a meeting of the Committee was convened to discuss the whole matter of the film in light of this new development which could, conceivably, jeopardise the project itself and the US\$100,000 already paid to the Producer. It should be mentioned in this respect that when the Committee authorized the important disbursement of 50% of the price of the film as initial payment, it did so with the view of providing the Producer with sufficient funds to permit him to begin and carry out his task without financial impediments. It should further be mentioned that during the meeting of the Committee on June 1, 1973 the Producer questioned, stated that the first part of the film, which was under discussion, had, as of then, cost about US\$25,000.

12. It is worth noting in this regard that when the Producer declared his inability to carry on with his work for financial reasons, the initial payment of US\$100,000 had already been made to him, which, after the deduction of the cost of the first part of the film (US\$25,000) should, at least arithmetically, have left him enough to enable him to continue his work until the payment of the second portion that was delayed on account of the shortcomings detected in the first part of the film and which was returned for revision. It seemed therefore incomprehensible that the Producer should find himself in financial difficulties, as regards the film, to the point of being compelled to stop its production.

13. In view of these perplexing circumstances the Committee held a meeting on September 4, 1973 and reviewed the whole situation of the film including the Producers demand for the payment of the second portion whose disbursement was linked with the delivery of the first part of the film. It will be recalled that the Committee did not accept or take delivery of the film on the grounds stated above.

- 5 -

14. The Committee was clearly faced with a situation likely to engender serious consequences. On the one hand it was understandably hesitant to authorize the disbursement of the second installment in view of the disappointing value received for the US\$100.000 already paid. On the other hand it was apprehensive that the withholding of the second payment, until the receipt of the revised first part, might create a situation which could endanger, as stated, earlier on, both the completion of the project and the money already invested in it.

15. Following a lengthy discussion of the matter, the Committee devised a compromise formula which, it believed, could provide a way out of the dilemma. This formula called for a meeting in Addis Ababa, under the auspices of the Committee, between the expert appointed by the Secretary General and the Producer following of which they could, in consultation and cooperation between themselves, work out a programme of work capable of guaranteeing the OAU, a faithful execution of the scenario and the recommendations of the Committee bearing on the revision of the first part of the film.

16. The Expert and the Producer did, in fact, meet in Addis Ababa. They were however, unable to harmonize their views in respect of the programme of work that they were requested to produce jointly. As a result the Expert drew up and submitted separately to the Committee a list of recommendations regarding ^{the} changes and rearrangements to be made on the film.

17. Consequently, the Committee at a meeting held on November 8, 1973 which was attended by both the Expert and the Producer discussed the recommendations item by item and consulted the producer on each point. In this manner all the recommendations were mutually accepted with few amendments. It was also agreed that the Expert and the Producer together, should view and discuss the film during its editing. Finally the Expert enumerated the adopted recommendations in a letter addressed to the Producer and submitted to the Secretariat for onward transmission to the addressee. This letter was duly

- 6 -

transmitted to the Producer under cover of a letter of the Administrative Secretary General of the OAU.

18. In September 1974 the Producer cabled the Secretariat informing them that he was about to finish the editing and requesting instruction as to how to submit the film for approval. On the basis of the agreement reached on this matter at the meeting of November 8, 1973, the Secretariat cabled back asking him to indicate the date and the venue where the Expert could be directed to join him. In reply the producer denied the agreement mentioned above and refused to deal with the Expert.

19. As concerns the Commemorative Medals issued for public sale, it will be recalled that the pieces coined for the purpose were as follows:

gold: 5,000 units
 silver: 20,000 units
 bronze: 20,000 "

20. The cost of the bullion and manufacture was financed with a loan obtained from the Commercial Bank of Ethiopia in February 1973. The amount of the loan initially stood at Eth.\$962.122 73 (Or US\$464.793.59) which, through the application of proceeds from sporadic sales, was reduced to Eth.\$717.684.17 as of December 31, 1974. It should be recalled that the annual interest rate payable on the balance is of the order of $9\frac{1}{2}\%$ p.a.

21. In view of this clearly precarious situation of the medals' project and aware of the considerably adverse financial consequence that this might entail for the Organization, the Administrative Secretary submitted a recommendation to the Council of Ministers describing the situation and seeking a decision of the Council whereby Member States would purchase on a pro rata basis the balance of medals unsold. This recommendation was supported by the Programme Committee in its Report Doc. CM/561. As a result the Council of Ministers at its 23rd Ordinary meeting in Mogadishu, Somalia, in June 1974 decided (AHG/Dec.1 - XI) that the unsold commemorative

- 7 -

medals at hand shall be purchased by Member States on a prorata basis and that the proceeds shall be paid to the Commercial Bank of Ethiopia in amortization of the loan. In addition this decision authorized the Administrative Secretary General to sell the residual 21kg. 789.782 grams of gold bullion on the international market and apply the proceeds against the loan. This gold is the remainder of the bullion bought and used for the minting of the medals.

22. In accordance with the above decision the Administrative Secretary General on August 7, 1974 addressed a circular note (CAB/PRO/89/141) with enclosed list showing the number of medals, in the various metals, assessed to each Member State, as well as the prices thereof. It is a fact that except for a few countries which have indicated their intention to discharge their obligation in this regard, only one Member State has up to date done so effectively. Thus, although a number of pieces have been sold to the public in the intervening period, and despite the purchase already made by one Member State as stated above, the situation of the loan and the sale of medals has remained basically as precarious as it was before the decision was taken to prorate the medals among Member States.

23. One item which did not form part of the original Programme for the celebration but was subsequently brought to the attention of the Committee is the Anthem for the OAU proposed by Mr. Ousmane E. Sow of Senegal. It will be recalled that this question was submitted to the Council of Ministers which, at its 20th Ordinary Session held in Addis Ababa in February 1973, decided to refer the matter to Member States requesting them to communicate their comments or alternative proposals to the Programme Committee for consideration.

24. However, despite various reminders from the Secretariat only four responses have so far been received. The foregoing therefore is the background against which the Programme Committee met on February 4, 1975 to address itself, once more, to the items of the Programme for the Celebration of the 10th Anniversary which have as yet to be achieved.

DELIBERATIONS

25. The Agenda of the meeting of the Committee on February 4, 1975 was comprised of the following items:

1. Adoption of the Agenda
2. Adoption of the Minutes of the last meeting (Nov. 8, 1973)
3. Consideration of the refusal of the Film Producer (Mr. Adjali) to submit the editing of the film on the OAU to the supervision of the appointed Expert.
4. Consideration of the adoption of an anthem for the OAU
5. Consideration of the question of the unsold commemorative medals and surplus gold.

26. The Agenda and the Minutes of the last meeting were adopted with some amendments. It should be recalled that these Minutes contained the recommendations made by the Expert relating to the changes to be made in the first part of the film which in consultation with the Committee, were accepted by the Producer. One of the amendments, concerned the omission from the list of recommended inclusions in the film, of the United Republic of Cameroon as a successful example of national unity, Paragraph 13 of the Minutes which reads: "It was finally agreed that the Expert and the Producer together, should view and discuss the film before its editing", was discussed at length. Some members were not certain whether the word "before" exactly reflected the decision arrived at in its meeting of November 8th. In this respect it was recalled that a long debate had taken place regarding the participation of the Expert in the editing of the film. Reference was made to the differing views expressed by the Expert and the Producer on this point and the efforts deployed by the Committee to conciliate the differences and persuade the Producer to accept the participation of the Expert in the editing of the film. It was suggested therefore that the word "during" rather than "before" the editing, would best reflect the sense of the agreement reached at the said meeting. Views were expressed to the effect that since the purpose, in this respect, was to ensure the participation of the Expert in the editing of the film at a stage which could allow for possible corrections, there was no difference in substance, in this context, between the word "before" and "during. It was finally decided that the word "before" should

- 9 -

be substituted by "during" as rendering more exactly, the spirit of the agreement.

27. The Committee then proceeded to the consideration of a letter from the Producer addressed to the Administrative General on January 10, 1974. This letter lists a number of complaints against some passages in the minutes of previous meeting, and the delays in payment which^{he} (the Producer) claims have occasioned him considerable expenses. In this letter the Producer also states his refusal to submit to the censorship of a technician (read the Expert appointed by the OAU). The Producer in the same letter admits that: "The contract stipulates that I should be guided by the decisions of the Programme Committee the Secretariat and yourself" (Secretary General). It is interesting to note in this connection that this letter was written two months after the last meeting of the Committee (on November 8, 1973) attended by the Producer himself and the Expert during which, following the former's acceptance, the recommendations submitted by the Expert, including the participation of the latter in the editing of the film were adopted. Within this context it is relevant to recall that the Expert was appointed by the Administrative Secretary General pursuant to a decision of the Programme Committee.

28. Another passage, in the Producer's letter which retained the attention of the Committee is that on which he states: "The time needed to complete the film does not allow of the inclusion of all the countries of Africa I have not yet visited but only of about fifteen in accordance with your recommendations and those of the Committee, these will be selected from the seventeen countries with which the film is to deal". The Committee was of the view that if this were to be the case, it would be difficult and unfair to ask the countries so excluded to contribute to the cost of the film. In this connection, it was pointed out that during his filming trips to Member countries the Producer had displayed a rather casual sense of his obligations. The attention of the Committee was particularly drawn to his scheduled trip to Cameroon where he arrived without prior notification and then left the country without filming on ground that cannot be justified. Consequently, the

- 10 -

representative of Cameroon expressed his country's reservations as on the film so treated by the Producer. On the other hand the Committee noted with dissatisfaction the discourteous language used by the Producer in his letter in referring to its decisions. The Secretariat was directed to make this known to him.

29. The refusal of the Producer to submit the editing of the film to the expertise of the professional appointed by the OAU as has been agreed, was considered against the relevant terms of the contract which stipulates the "designation by the Administrative Secretary General of the OAU, in consultation with the Programme Committee, of an officer to be charged of coordination between the General Secretariat and the Producer during the execution of this contract". In view of the above, some members were of the view that the OAU had no right to appoint an expert to supervise or participate in the editing of the film. Others held the position that the Producer himself, in his letter under consideration, had admitted that under the terms of the contract he was bound by the decisions of the Committee and the General Secretariat of the OAU. In fact Article VI of the contract stipulates that "the Producer formally undertakes to respect, interpret faithfully and fully take account, in the commentaries and the music of the descriptions made in Article III as well as of the recommendations which have been made both by the Programme Committee and the General Secretariat of the OAU contained in the Scenario submitted by himself and attached to the present contract." Consequently, it was suggested that the matter should be turned over to the Legal Adviser of the OAU to determine the legal position of the Organization.

30. Interventions were made in favour of viewing the refusal of the Producer in light of professional pride and susceptibility. It was argued that although the Expert was appointed by the OAU, the fact remains that he is himself a film producer whose supervision under whatever guise, cannot but be resented by Mr. Adjali (the Producer). It was therefore suggested that this problem would stand a much better chance of solution in discussions with the Producer based on a spirit of brotherhood and mutual understanding rather than having recourse to legal means.

- 11 -

31 - In this regard it was also suggested that in order to avoid susceptibilities, the Expert should be requested to submit his comments and recommendation on the film to the Committee which will transmit them to the Producer for execution.

32. In view of the foregoing the Committee decided concurrently to, once more, discuss the matter with the Producer to persuade him to associate the Expert in the editing of the film in the manner described above and to request the Legal Advisor of the OAU to study the matter in light of the scenario, the recommendations of the Expert adopted by the Committee and the Producer's letter of January 10, 1974

33. The Committee also decided to request the Ethiopian Government to designate and assign an Expert on film production, to carry out a comparative study of the Scenario and the recommendations for the modifications thereof, for the consideration of the Committee.

34. The Committee further decided to invite the Producer to attend a meeting in Addis Ababa for discussions. It being understood that his expenses as regards Air passage and maintenance shall be borne by the OAU. In so deciding the Committee made it clear that during the proposed meeting the Producer will be in attendance for consultation as and when invited in which was the case in the past, and that he shall have no right, as he now seems to believe in some passages of his letter, to participate in the deliberations of the Committee.

Item 4 Consideration of the Adoption of an Anthem for the OAU

35. With regard to this item it will be recalled that the first composition and proposal was made by Mr. Cusmane H. Sow of Senegal. It will also be recalled that this proposal, by decision of the Council of Ministers was referred to Member States for comments or alternative proposals. In this connection only four Member States have forwarded their views to the Secretariat. Two proposed the holding of a contest in which all qualified nationals of Member State should be invited to participate. One gave its unqualified approval of Mr. Sow's composition and the other, while not objecting to the

- 12 -

proposed Anthem suggested that it would gain more majesty if played at a slower pace.

35. In the meantime other proposal from Mr. Bisbis of Morocco and Mr. Bebe-Lola from Zaire were received at the Secretariat and duly submitted for the consideration of the Committee. The three proposals were therefore discussed in conjunction and at some length. As a result, and in view of the fact that the response of Member States on the first proposal had been very meager in respect of number and in order to afford the Organization a wider scope for selection, the Committee decided that the Secretary General should request member states to invite those of their qualified nationals to participate in a contest for the Anthem of the OAU provided that their participation is made through and supported by their respective Governments.

Item 5 Consideration of the question of unsold medals:

37. This item was not included in the Provisional Agenda. It was inscribed and discussed at the suggestion of the representative of Nigeria. He stated that if a rapid solution was not found to the problem of the unsold commemorative medals, which it will be recalled were financed through a loan granted by the Commercial Bank of Ethiopia, a situation will ensue where, through the gradual accumulation of the high interest rate charged, the aggregate interest may, in the course of years, double or exceed the principal.

38. The position of the loan and the medals as of January 31, 1975 is as follows:

Balance outstanding on loan	Eth. \$702,998.32
Balance on hand gold medals 3174 pcs	
" " " silver " 18026 "	
" " " bronze " 18210 "	

Surplus gold bullion 21 kgs 789.782 grms.

39. In this regard it will be remembered that two decisions were taken in Mogadishu, in June 1974. One called on Member States to

purchase the remaining medals in proportion to their respective scales of assessment; and the other authorized the Administrative Secretary General to sell the surplus gold on the international bullion market. Accordingly, the Administrative Secretary General/Circulated a note to all Member States, to which a list of the medals and the total price apportioned to each was enclosed, inviting them to discharge their obligations in this respect. It has been stated earlier in this Report that so far only one Member State had complied effectively. The Administrative Secretary General also instructed the Commercial Bank of Ethiopia which is the custodian of the gold bullion, to proceed to the sale of the remainder of the gold. The bank however counselled waiting until the prices were more stable which at present are in a continuous state of fluctuation. In addition, the Bank mentioned that attempts have been made to sell the gold on the local market and save for the OAU, the expenses involved in shipping the gold out to Europe but had abandoned the idea in view of very low prices offered. The Bank further submitted the following gross estimate of the financial implications of the sale of the gold on the European markets:

Airfreight charges	Stg. 85.-
Airport surcharge	" 15.-
Insurance	" 160.-
	<hr/>
	260.- Eth.\$ 1,300.-

Air passage and maintenance for two persons who should accompany the gold.....	5,000
	<hr/>
	6,300.-
	<hr/>

40. The Committee considered that these expenses amounted more or less, to one month's interest charged on the loan. It saw, therefore, no reason why these expenses should not be authorized if the need arose.

41. Consequently the Committee decided as follows:

to request the Administrative Secretary General to appeal to Member States to discharge their obligations under the decision taken in Mogadishu. (AHG Dec.1-XI-) with regard to the balance of medals.

- 14 -

to give the right of first refusal to Member States whose financial institution may be interested in the gold bullion, under the following conditions:

1. In the case of partial purchases, the Secretariat shall receive orders and set aside the amount of gold ordered against the name of the purchasing Member State, until March 15, 1975.
2. The price of the gold so ordered shall be determined by and fixed at the quotation of the London bullion market for the 15th of March 1975.
3. However, if one or more Member States singly or between themselves were to place an order or orders before the indicated time limit absorbing the entire quantity of gold on sale, the Administrative Secretary General shall declare the sale closed and inform the remaining Member States accordingly.
4. In this latter case the price shall be determined by and fixed at the London market quotation for the day on which the order or orders are received at the Secretariat.

5. Delivery shall be effected in Addis Ababa. However the Secretariat can, on request, make arrangements on behalf of the Member States and at their expense, to deliver the gold at destination.

Past the time limit of March 15, 1975 the Administrative Secretary General shall proceed to the sale of the gold bullion on the international market.



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