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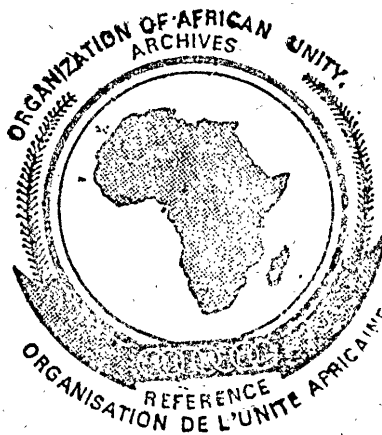
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Addis Ababa * * ادیس ابابا

CM/953(XXXII)

COUNCIL OF MINISTERS
THIRTY-SECOND ORDINARY SESSION
NAIROBI, KENYA
FEBRUARY 23 - 2ND MARCH, 1979

PROGRESS REPORT OF THE OAU ADMINISTRATIVE
SECRETARY-GENERAL ON THE PROPOSED ESTABLISH-
MENT OF THE CONFERENCE OF AFRICAN
INTER-GOVERNMENTAL ORGANIZATIONS



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PROGRESS REPORT OF THE OAU ADMINISTRATIVE
SECRETARY-GENERAL ON THE PROPOSED ESTABLISH-
MENT OF THE CONFERENCE OF AFRICAN
INTER-GOVERNMENTAL ORGANIZATIONS

1. The first meeting of African Inter-Governmental Organizations was held from 2 to 6 September 1974 in Addis Ababa, under OAU and ECA auspices. The meeting elected the following as members of its Provisional Bureau comprising:

- Chairman: OAU Secretary-General.
- First Vice-Chairman: Executive Secretary of the Lake Chad Basin Commission.
- Second Vice-Chairman: Air Afrique Assistant Commercial Manager.
- Rapporteur: WARDA Executive Secretary.

The Report of the meeting (CM/661(XXV)) was submitted to the Twenty-Fifth Ordinary Session of the Council of Ministers held in Kampala in 1975.

2. Pursuant to the meeting's recommendations, the Provisional Bureau met on 7 September 1974 in Addis Ababa, and decided to:

- a) Convene a Constituent Meeting of the Conference of the African Inter-Governmental Organizations;
- b) Define the aims and objectives of this Conference: i.e. promote co-operation amongst African Inter-Governmental Organizations and co-ordinate their activities;
- c) Define the Membership of the Conference:
 1. African Inter-Governmental Organizations and African Governmental Associations;
 2. African Non-Governmental Organizations may be associate members of the Conference, subject to conditions to be defined by the latter.

3. International Organizations of the UN System may be accorded observer status in the Conference.

- d) Prepare a draft constitution and a draft rules of procedure of the Conference of African Inter-Governmental Organizations.

The Bureau of the Conference was requested to carry out this assignment in collaboration with the ECA and OAU General Secretariat.

3. The Provisional Bureau held a second meeting at the OAU Headquarters on 30 June 1975 to consider these documents.

4. Having considered in detail the draft Constitution and Rules of Procedure submitted to it, the Provisional Bureau proceeded to the amendments and adoption of the Draft Constitution; and requested the OAU Secretary-General to ask the Twenty-Fifth Ordinary Session of the OAU Council of Ministers to be held in Kampala in June 1975 (CM/661 - XXV) to:

- a) approve the principle of setting up the Conference of African Inter-Governmental Organizations and African Governmental Associations;
- b) authorise the OAU Administrative Secretary-General to convene in September 1975, the Constituent Meeting of the Conference of the African Inter-Governmental Organizations and African Governmental Associations;
- c) authorise the Advisory Committee on Budgetary, Financial and Administrative Matters to release the necessary funds for the holding of the Constituent Meeting of the Conference of African Inter-Governmental Organizations and African Governmental Associations

5. The Secretary-General consequently submitted these recommendations to the Twenty-Fifth Ordinary Session of the OAU Council of Ministers.

6. At the end of the deliberations on this subject, the Council sought Member States opinion on the possibility, objectives and the final steps to be taken to establish the Conference of African Inter-Governmental Organizations.

7. In view of lack of response from Member States consulted by the Secretary-General, the latter had to take the initiative to submit this question once again to the Twenty-Seventh Ordinary Session of the Council of Ministers.

8. This time, by its Resolution CM/Res.495(XXVII), the Council of Ministers authorised the Secretary-General to convene the Constituent Meeting of the Conference of African Inter-Governmental Organizations and to ask the Advisory Committee on Financial and Administrative Matters to examine the financial implications for the holding of this Meeting (Annex I).

The Constituent Meeting has since not been held for financial and budgetary reasons.

It is at this stage appropriate to re-consider this project, taking into account the following new developments:

- Exigences of Inter-African Co-operation in the light of the recommendations of the UN Conference on T.C.D.C;
- Development of Afro-Arab Co-operation;
- Third World's aspirations for the establishment of a new International Economic Order;
- Efforts of the West African Economic Community (ECOWAS) to bring together the Inter-Governmental Organizations of the Sub-region and to reach a General Co-operation Agreement.

Before proceeding to this dossier, we may ask ourselves three questions:

- Do the many and varied objectives of the Inter-African Organizations and associations augur well for a true co-operation?

- Is a conference of Inter-Governmental Organizations under the aegis of the OAU not premature since there are no regional structures available?
- Would it not on the contrary be more rational to start from regional levels to the top? There are two possibilities:
 - A) Is it not better for the OAU in conjunction with the ECA to consider strengthening co-operation amongst the African Inter-Governmental Organizations by operating on a sectoral basis? i.e.
 - a. economic communities, common markets, customs unions and other multi-sectoral organizations;
 - b. agriculture;
 - c. education, training and research;
 - d. industry;
 - e. finance and banking;
 - f. natural resources;
 - g. health;
 - h. tourism;
 - i. transport and communications.
 - B) The second possibility would be to hold the Conference in order to find ways and means of achieving a better cooperation amongst the African inter-governmental organizations.

In the event of this second alternative being accepted, we would like to propose the following Draft Agenda:

- Progress Report of the OAU Secretary-General on the Proposed Project and its Objectives.
- Introduction of Organizations.
- Consideration of Priority Sectors which will Facilitate Development Activities and Regional Integration, and Practical Ways and Means of Cooperation.
- Consideration of the Constitution of the Conference (Annex II)

IT IS INCUMBENT ON THE OAU BODIES TO CHOOSE ONE OF THESE POSSIBILITIES AND FIND WAYS AND MEANS OF IMPLEMENTING IT.

RESOLUTION ON THE ESTABLISHMENT OF A
CONFERENCE OF AFRICAN INTER-GOVERNMENTAL ORGANIZATIONS
AND AFRICAN GOVERNMENTAL ASSOCIATIONS
CM/Res. 495 (XXVII)

The Council of Ministers of the Organization of African Unity, meeting in its Twenty-Seventh Ordinary Session in Port Louis, Mauritius, from 24 June to 3 July 1976,

Recalling its recommendations on inter-African technical, scientific, economic and cultural co-operation,

Recalling the need to co-ordinate the activities of African Inter-Governmental Organizations:

1. AUTHORIZES the Secretary-General to convene during the 1976/77 financial year, a constituent meeting of the Conference of African Inter-Governmental Organizations;
2. REQUESTS the ECA to be involved in all the activities relating to the setting-up of a Conference of African Inter-Governmental Organizations;
3. REQUESTS the Advisory Committee on Financial and Budgetary Matters to examine the financial implications for the holding of the constituent meeting of that Conference of African Inter-Governmental Organizations and of African Governmental Associations.

CM/953(XXXII)

Annex II.

DRAFT CONSTITUTION OF THE CONFERENCE OF
AFRICAN INTERGOVERNMENTAL ORGANIZATIONS
AND ASSOCIATIONS

DRAFT CONSTITUTION OF THE CONFERENCE OF
AFRICAN INTERGOVERNMENTAL ORGANIZATIONS
AND ASSOCIATIONS

Preamble

The Organizations and Associations on whose behalf this Constitution is signed:

Being aware of the significant role that African intergovernmental organizations play in the development of co-operation among African countries in such fields as trade, economic development, transport, agriculture, health, transport and communications;

Recognizing the need to intensify co-operation among African intergovernmental organizations;

Conscious of the necessity to promote the co-ordination of the activities of African intergovernmental organizations;

Having regard to the advantage for Africa to be derived from the effective co-ordination of the activities of the various African intergovernmental organizations; convinced that the above objectives would best be achieved through the creation of a Conference of African intergovernmental organizations;

Have Agreed as follows:

ARTICLE I

Establishment of the Conference

The Conference of African intergovernmental organizations (hereinafter referred to as "the Conference"), is hereby established and shall operate and be governed in accordance with the provisions of this Constitution.

ARTICLE IIObjectives and Functions

1. The objectives of the Conference shall be to:
 - (a) foster and promote co-operation among African States in all fields;
 - (b) foster, promote and assist in the strengthening of co-operation among its members; and
 - (c) foster, promote and assist in the harmonization and co-ordination of the activities of its members.

2. For the purposes set out in paragraph 1 of this Article, the Conference shall:
 - (a) provide for meetings of the Conference and its organs;
 - (b) foster co-operation among african countries;
 - (c) assist the members of the Conference in developing and strengthening relation among themselves;
 - (d) assist the members of the Conference in the co-ordination of their activities;
 - (e) promote the study and development of knowledge and techniques relating to co-operation among African States in all fields, the co-ordination of the activities of African Intergovernmental Organizations and the dissemination of related information; and
 - (f) do all such other things as would enable the Conference to achieve its objectives.

ARTICLE IIIMembership, Associate Membership and Observers

1. Membership of the Conference shall be open to all African intergovernmental organizations or associations of national institutions composed solely of two or more

governments or national institutions as the case may be, of the member States of the Organization of African Unity.

2. Associate membership of the Conference may be open to such African organizations or associations other than those referred to in paragraph 1 of this Article, and or such conditions, as the General Assembly may determine.
3. The General Assembly may invite such institutions of the United Nations system as it may deem necessary or desirable, to attend as observers, meetings of such organs of the Conference as the General Assembly may determine.

ARTICLE IV

Obligations of Members

Members of the Conference shall co-operate in every way so as to assist the Conference in achieving its objectives. They shall in particular:

- (a) facilitate the collection exchange and dissemination of information in such manner and under such conditions as the General Assembly may determine;
- (b) submit all necessary reports and information as may be agreed with the competent organs of the Conference, to such organs;
- (c) make available training and research facilities on such terms and conditions as may from time to time be agreed with the appropriate organs of the Conference;
- (d) make available personnel to assist other members of the Conference or the Conference on such conditions as may be agreed with the appropriate organs of the Conference;

- (e) pay their annual contributions as assessed by the General Assembly; and
- (f) make every effort to plan and direct their policies with a view to creating conditions favourable for the achievement of the objectives of the Conference.

ARTICLE V

Status, Structure and Organization of the Association

1. The Conference shall enjoy legal personality as an international organization.
2. To enable it to achieve its purpose and to perform its functions, the Conference shall have legal capacity to acquire, hold, manage and dispose of land and other property, enter into contracts, accept and make loans, grants, gifts and contributions, and to sue and be sued.
3. The organs of the Conference shall be:
 - (a) the General Assembly;
 - (b) the Bureau of the Assembly;
 - (c) the Subregional Assemblies; and
 - (d) such other bodies as may be established under the provisions of this Constitution.

ARTICLE VI

The General Assembly - Membership and Functions

1. The General Assembly shall consist of a representatives of each of the members of the Conference.

2. The General Assembly shall meet at least once in every two years; emergency meetings may be convened in accordance with rules made by the General Assembly.

3. Each member of the Conference shall have only one vote at meetings of the General Assembly.

4. The General Assembly shall elect from among the members of the Conference, its President, two Vice-Presidents and a Rapporteur who shall hold office for two years and may be eligible for re-election.

5. The General Assembly shall:

- (a) determine the general policies of the Conference;
- (b) consider and approve the programme of work and budget of the Conference;
- (c) review, direct and co-ordinate the activities of the organs of the Conference;
- (d) determine the contribution of the members of the Conference and fees to be paid by associate members of the Conference;
- (e) consider reports on the activities of the Conference;
- (f) determine the conditions of admission of associate members and observers of the Conference in pursuance of paragraphs 2 and 3 of Article III of this Constitution; and
- (g) consider and adopt rules and general directions governing the activities of the Conference and its organs.

6. The General Assembly may establish such bodies as it may deem necessary and may delegate any of its functions to such bodies or an organ of the Conference.

Subject to the provisions of this Constitution, the General Assembly shall prescribe its own rules of procedure including those for convening its meetings, the conduct of such meetings, and the quorum and voting there, and for the dissemination of the reports of its meetings.

8. Associate members of the Conference may attend and participate at meetings of the General Assembly but shall have no rights.

ARTICLE VII

The Bureau of the Assembly - composition and functions

1. The Bureau of the Assembly shall consist of the President, Vice-Presidents and Rapporteur of the General Assembly and shall:

- (a) subject to such general directions as the General Assembly may give, exercise in between meetings of the General Assembly the powers and functions of the General Assembly;
- (b) submit to the General Assembly reports on the activities of the Conference;
- (c) submit for the approval of the General Assembly the programme of work and budget of the Conference; and
- (d) subject to such general directions as may be given by the General Assembly, review, direct and co-ordinate the activities of the organs of the Conference other than the General Assembly.

2. The Bureau of the Assembly shall meet at least once every year and determine its own rules of procedure.

ARTICLE VIII

Subregional Assemblies

1. A Subregional Assembly shall consist of the members of the Conference within a subregion of Africa as set out in the Annex to this Constitution.

2. A subregional Assembly shall:

- (a) oversee the implementation of the decisions and policies of the General Assembly concerning its subregion;
- (b) be responsible for obtaining and disseminating information on the activities of the Conference within its subregion;
- (c) take decisions on matters concerning its subregion and the members of the Conference in the subregion which are not inconsistent with the decisions of the Bureau of the Assembly or the decisions and policies of the General Assembly; and
- (d) have such other functions and responsibilities as may be prescribed or delegated to it by the General Assembly.

3. A Subregional Assembly may establish such subsidiary bodies as it may deem necessary for the carrying out of its functions.

4. A subregional Assembly shall elect its own officers and prescribe its own rules of procedure:

Provided however that each member of a Subregional Assembly shall have only one vote at a meeting of a Subregional Assembly.

5. A Subregional Assembly shall meet at least once every year.

ARTICLE IX

Financial resources

1. The financial resources of the Conference shall include the contributions of the members of the Conference and fees of the Associate members of the Conference;

2. The Conference may also receive financial contributions and donations from the United Nations System and other inter-governmental organizations bilateral sources and organizations interested in the objectives of the Conference.

ARTICLE X

Amendments

This Constitution may be amended by a two-thirds majority at a meeting of the General Assembly convened for that purpose. Members of the Conference who are not represented at such a meeting may signify their votes in writing or by proxy:

Provided however that this Constitution may not be amended unless a written notice of a proposed amendment shall have first been given to all the members of the Conference at least three months before the meeting of the General Assembly at which such a proposed amendment is to be considered.

ARTICLE XI

Suspension and Withdrawal of Membership

1. Any member of the Conference who persistently fails to fulfil any of its obligations under this Constitution may be suspended from membership of the Conference by the General Assembly by a simple or two-thirds majority of all members present and voting on such terms as the General Assembly may determine.

2. Any member of the Conference may withdraw from the Conference after the expiration of one year from the date on which membership of the Conference was acquired, by giving a written notice of withdrawal to the Administrative Secretary-General of the Organization of African Unity who shall forthwith inform all members of the Conference of the receipt of such notice of withdrawal.

3. Withdrawal from the Conference shall become effective one year from the date of receipt by the Administrative Secretary-General of the Organization of African Unity of a notice of withdrawal:

Provided that during the period of such one year, a member of the Conference withdrawing from the Conference shall nevertheless remain liable for the discharge of obligations incurred under the provisions of this Constitution.

ARTICLE XII

Dissolution of the Conference

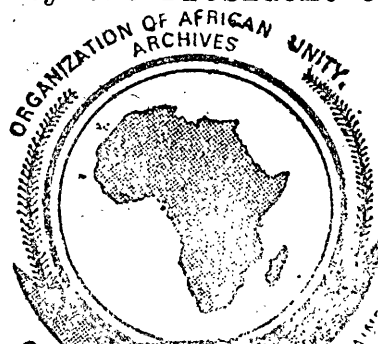
The Conference may be dissolved by a resolution to that effect carried by a two-thirds majority of all members at a meeting of the General Assembly convened for that purpose and whereupon, the General Assembly shall appoint a Committee for the purpose of liquidating, the assets of the Conference.

ARTICLE XIII

Arbitration

1. Any dispute arising between members of the Conference concerning the interpretation and applications of the provisions of this Constitution and which cannot be settled by the parties concerned shall be submitted for settlement in accordance with the provisions of paragraph 2 of this Article.

2. Where any matter is submitted for settlement under the provisions of paragraph 1 of this Article, each party to a dispute shall be requested to nominate one person to serve on a Board of Arbitration and the two so nominated shall nominate a third person to act as Chairman of the Board of Arbitration and in the case of disagreement on the nomination of such third persons, he shall be selected by the President of the General Assembly.



ARTICLE XIV

Final provisions

1. This Constitution shall enter into force when it shall have been signed on behalf fifteen of the Organizations and or the Associations referred to in paragraph 1 of Article III of this Constitution and whereupon such Organizations shall become members of the Conference.

2. This Constitution shall be deposited with the Administrative Secretary-General of the Organization of African Unity and shall be open for signature at his office.

3. Any of the organizations or associations referred to in paragraph 1 of Article III of this Constitution desirous of becoming a member of the Conference after the entry into force of this Constitution, may do so by depositing with the Administrative Secretary General of the Organization of African Unity its instrument of accession.

4. The Administrative Secretary General of the Organization of African Unity shall transmit certified copies of this Constitution to all members of the Conference.

5. The first meeting of the General Assembly shall be convened by the Administrative Secretary General of the Organization of African Unity not later than twelve months after the entry into force of this Constitution.

IN WITNESS WHEREOF the undersigned being authorized by or on behalf of their respective Organizations or Associations have signed this Constitution on the dates appearing beside their signatures.

DONE at this day
of 197
in the English, French and Arabic languages each of which shall
be equelly authentic.

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Progress Report of the OAU Administrative Secretary-General on the Proposed Establishment of the Conference of African Inter-Governmental Organizations

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