

COMMITTEE OF AMBASSADORS AND  
OTHER PLENIPOTENTIARIES  
Twelfth Ordinary Session  
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Tripoli, Libya

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Report of the Twelfth Ordinary Session of the  
Committee of Ambassadors and  
Other Plenipotentiaries

## Report of the Twelfth Ordinary Session of the Committee of Ambassador and Other Plenipotentiaries

### INTRODUCTION

The Twelfth Ordinary Session of the Committee of the Ambassadors and Other Plenipotentiaries was held in Tripoli, Great Socialist People's Libyan Arab Jamahiriya from 22-24 February 2001. The Session was chaired by H.E. Mr. Kati Ohara Korga, Ambassador of the Republic of Togo to Ethiopia and Permanent Representative to the OAU. The meeting was held under the auspices of the Bureau elected at the 72<sup>nd</sup> Ordinary Session of the Council of Ministers, which took place in Lome, Togo, from 6 to 8 July, 2000, composed as follows:

- |                                 |                 |
|---------------------------------|-----------------|
| - Chairman                      | - Togo          |
| - 1st Vice-Chairman             | - Congo         |
| - 2 <sup>nd</sup> Vice-Chairman | - Tanzania      |
| - 3 <sup>rd</sup> Vice-Chairman | - Tunisia       |
| - Rapporteur                    | - South Africa. |

### Opening Ceremony

2. The opening ceremony was graced by the presence of H.E. Dr. Ali Treki, Secretary of the General People's Committee for African Unity. The Secretary General of the OAU was also present at the ceremony.

3. The Chairman H.E. Mr. Kati Ohara Korga declared the session open. On behalf of all the delegations, he expressed sincere gratitude to the Government and People of the Great Libyan Jamahiriya for the warm welcome and hospitality extended to participants, as well as for the excellent facilities provided for the meeting by the host country. He expressed the Committee's appreciation for the relentless efforts deployed by Libya to promote the African Union.

4. The Chairman underscored the importance of the mission entrusted to the Committee, namely the preparation of the 73<sup>rd</sup> Ordinary Session of the Council of Ministers, adding that the Committee was expected to consider and come up with recommendations on the 2001/2002 Programme Budget, evaluate the work accomplished in the restructuring of the OAU General Secretariat, examine the economic items on the agenda such as the implementation status of the Algiers and Lome

decisions and regulations, the relations between the AEC and the RECs, the establishment of the African Energy Commission, the Eighth All-Africa Trade Fair, the debt problem and follow-up on the Africa-Europe Summit. Lastly, he said that the Committee should reflect on legal matters.

5. He then invited the Guest of Honour Dr. Treki Secretary of the General People's Committee for African Unity to deliver the opening address.

6. Dr. Treki warmly welcomed all delegations to the African soil of the Great Libyan Jamahiriya and wished them a happy stay in the country. He underscored the importance of the mandate of the Committee of Ambassadors and Other Plenipotentiaries which is to prepare the Sessions of the Council of Ministers and the Sirte Extra-Ordinary Summit; commonly known as Sirte II. This Summit would discuss critical issues related to the future and destiny of the African Continent.

7. He paid tribute to the OAU and its leaders for their determination and accomplishments in the struggle against colonialism, exploitation and apartheid, which had culminated in the liberation of the Continent, adding that Africa was now completely free from colonialism and racism, thanks to the unflagging and concerted efforts of the leaders and peoples of the Continent.

8. Dr. Treki further stated that a new stage in the struggle had begun; that is the struggle for development and unity, the fight against disease, ignorance and poverty. These are the challenges that are expected to confront the African Union which African leaders, had decided to establish at the Sirte I Summit and in Lome.

9. Dr. Treki then declared how proud his country was to host the present meeting in Hotel Mehari which has been the venue of historic gatherings, the most important being the meeting of the first government of Algeria whose struggle was a source of inspiration to the entire Continent as a result of its courage and determination.

10. In conclusion, Dr. Treki wished the Committee full success in its deliberations.

11. After the opening statement, the Chairman, on behalf of all the delegations thanked the Guest of Honour for his highly inspiring address.

He then proposed, and the Committee agreed, that the statement be adopted as official document of the meeting.

### Organization of Work

12. The meeting adopted the following hours of work:

- Morning: - 10 a.m. to 1 p.m
- Afternoon: - 4 p.m. to 7 p.m.

### Adoption of the Agenda

13. The Committee adopted the following agenda after a few amendments:

- I. (a) Organization of Work
- (b) Adoption of the Agenda

## II. FINANCIAL AND ADMINISTRATIVE MATTERS

(i) Consideration of the Reports of:

- Fourth Ordinary Session of the Advisory Sub-Committee on Administrative, Budgetary and Financial Matters (April 2000);

**CM/2186(LXXIII)**

- Sixty-ninth Ordinary Session of the Advisory Committee on Administrative Budgetary and Financial Matters

**CM/2187(LXXIII)**

(ii) Consideration of the Financial Report on the 1999/2000 Financial Year

**CM/2182(LXXIII)**

(iii) Consideration of the Report of the Board of External Auditors on the Accounts of the General Secretariat, Regional and Sub-Regional Offices of the 1999/2000 Financial Year and the Comments of the General Secretariat, Regional

and Sub-Regional Offices

**CM/2183(LXXIII)**

- (iv) Statement of Contributions to the OAU Regular Budget as at 31<sup>st</sup> January 2001

**CM/2188(LXXIII)**

- (v) Report of the Fifteenth Session of the Committee on Contributions

**CM/2189(LXXIII)**

- (vi) Report of the Eighth Session of the Committee on Conferences

**CM/2184(LXXIII)**

- (vii) Consideration of the Draft Programme Budget for the Financial Year 2001/2002

**CM/2185(LXXIII)**

- (viii) Progress Report of the Secretary General on the Implementation of the Restructuring of the OAU General Secretariat

**CM/2190(LXXIII)**  
**Rev.1**

- (ix) Progress Report of the Ad-hoc Committee of Fifteen on the Structural Reform of the OAU General Secretariat

**CM/2191(LXXIII)**  
**Rev.1**

- (x) Draft Report of the 27<sup>th</sup> Ordinary Session of the Ad-Hoc Committee on Structural Reform of the OAU

**CM/2199 (LXXIII)**

- (xi) Report of the Secretary General on the Status of the OAU Peace Fund

**CM/2192(LXXIII)**

### III. ECONOMIC MATTERS

1. Report of the Secretary General on Progress in the Implementation of the Treaty establishing the African Economic Community (AEC):
  - a) Implementation of the Algiers and Lome Decisions and Regulations on Economic Matters  
CM/2193(LXXIII)a
  - b) Cooperation between the AEC and RECs  
CM/2193(LXXIII)b
  - c) Establishment of the African Energy Commission  
CM/2193(LXXIII)c
  - d) Eradication of Tse-Tse Fly in Africa  
CM/2193(LXXIII)d
  - e) Preparation for the 8<sup>th</sup> All-Africa Trade Fair  
CM/2193(LXXIII)e
  - f) Preparation for the External Debt Conference  
CM/2193(LXXIII)f
  - g) Revision of the 1968 African Convention on the Conservation of Nature and Natural Resources  
CM/2193(LXXIII)g
2. Report of the Secretary General on the Follow-up on the Africa-Europe Summit  
CM/2194(LXXIII)

#### IV. LEGAL MATTERS

- i) Report of the Secretary General on the  
Nomination of New Members for the OAU  
*Ad-Hoc* Administrative Tribunal

CM/2195(LXXIII)

- ii) Report of the Secretary General on the  
Status of OAU Treaties

CM/2196(LXXIII)

#### V. Any Other Business

14. The Tunisian delegation indicated that it would like to make presentation on the World Summit on Information Society under the agenda item "Any Other Business".

15. Similarly, the South African delegation intimated that it would make a presentation under the same agenda item.

16. Following the adoption of the agenda, two Committees (Committee I and Committee II) were constituted to examine the various items on the Agenda.

17. Committee I presided over by the 3<sup>rd</sup> Vice-Chairman, H.E. Zouheir ALLAGUI Ambassador of Tunisia and Permanent Representative to the OAU, would consider Item No. II (Financial and Administrative Matters) as well as sub-items 1 (a) and (f) of Item III (Economic Matters).

18. For its part, Committee II chaired by the 2<sup>nd</sup> Vice-Chairman, H.E. C. KILEO Ambassador of Tanzania and Permanent Representative to the OAU, would deliberate on sub-items 1 (b) to (e) and (g) of Item III (Economic Matters) as well as Item IV (Legal Matters).

19. After subsequent consultations however, it was agreed that Committee I should concentrate on all financial and administrative matters, while Committee II should deal with all social, economic and legal matters.

## II. FINANCIAL AND ADMINISTRATIVE MATTERS

(i) Consideration of the Report of the Fourth Ordinary Session of the Advisory Sub-Committee on Administrative, Budgetary and Financial Matters (Doc. CM/2186 (LXXIII)

20. The report was introduced by H.E. Emmanuel Mendoume-Nze, Ambassador of Gabon in Ethiopia and former Chairman of the Advisory Sub-Committee on Administrative, Budgetary and Financial Matters, who highlighted the two important points of the report as follows: approval of the virement requests made by the Secretariat (Headquarters and Regional Offices) and recommendations made by the Sub-Committee with regard to the unsatisfactory attendance of programme managers to the Sessions of the Sub-Committee, the problem of under-budgeting under some items of the Budget, and the issue of virement requests not supported by Progress Report on Implementation of Programmes. On this last point, the Sub-Committee decided not to consider the virement requests submitted by the Programme Managers who failed to present their reports on Mid-Term implementation of programmes, and urged the General Secretariat to take disciplinary measures against the defaulters in future.

21. The Committee took note of the Report.

- Sixty-ninth Ordinary Session of the Advisory Committee on Administrative, Budgetary and Financial Matters (Doc.CM/2187 (LXXIII)

22. The report was introduced by H.E. J.K. Shinkaiye, Ambassador of Nigeria to Ethiopia and Chairman of the Advisory Committee on Administrative, Budgetary and Financial Matters . The Chairman of the Advisory Committee informed the Committee of Ambassadors and Other Plenipotentiaries that in considering the 1999/2000 financial report of the Organization, the Committee had deplored the fact that the system put in place to recover advances was not adequately applied by the Secretariat. The situation of payment of contributions by Member States was also found to be very unsatisfactory. Member States were therefore urged to honour their financial obligations.



23. The Chairman stated that, apart from the proposed Draft Programme Budget 2001/2002 which was being submitted separately to the Committee, the Sixty-ninth Ordinary Session of the Advisory Committee on Administrative, Budgetary and Financial Matters had approved funds amounting to US\$127,500.00 and US\$309,405.00 for the renovation of the premises of the OAU New York Office and for the purchase of motor vehicles for the General Secretariat as well as for regional offices respectively.

24. Finally, the Chairman of the Advisory Committee informed the Committee of Ambassadors and Other Plenipotentiaries that the Bureau of the Advisory Committee had a very fruitful meeting with the Assistant Secretary General in charge of Administration and Finance Department, during which various important issues were discussed with a view to improving the financial management of the Organization. He, therefore, expressed the hope that this type of briefing would continue for the better understanding and the enhancement of the financial management system.

25. The Committee of Ambassadors and Other Plenipotentiaries took note of the report of the Sixty-ninth Ordinary Session of the Advisory Committee on Administrative, Budgetary and Financial Matters.

(ii) & (iii) **Consideration of the Financial Report on the 1999/2000 Financial Year (Doc. CM/2182 (LXXIII) and Consideration of the Report of the Board of External Auditors (Doc. CM/2183 (LXXIII))**

26. The two reports, which are related, were introduced by the Assistant Secretary General in charge of Administration and Finance Department who pointed out that the two issues were already covered by the Report of the 69<sup>th</sup> Session of the Advisory Committee on Administrative, Budgetary and Financial Matters.

27. He underscored the financial difficulties faced by the Secretariat which was not able to implement its programmes due to lack of financial resources as a result of the low level of contributions received from Member States.

28. He also assured the Committee that the observations and recommendations made by the Board of External Auditors had been duly noted and would be implemented with a view to improve the management of the Organization. Regarding the External Audit exercise, the

Committee was informed that the Calendar had been changed to the period 15 September to 15 October in order to ensure the presence of all concerned officials during the audit period.

29. After that introduction, the Committee took note of the two reports.

(iv) **Statement of Contributions to the OAU Regular Budget as at 31<sup>st</sup> January 2001 (Doc. CM/2188 (LXXIII))**

30. The document was introduced by the Assistant Secretary General in charge of Administration and Finance Department. He stated that the report consisted of two parts:

- the statement of contributions received during the period from 01 June 2000 to 31 January 2001. These payments were made either towards the current budget 2000/2001, or as settlement of arrears from previous years. In addition three countries (Botswana, Senegal and Togo) have already paid part of their contributions towards the 2001-2002 Financial Year.
- the details of outstanding contributions as at 31 January 2001.

31. The Assistant Secretary General, in conclusion announced that the following countries had made payment of contributions after 31<sup>st</sup> January 2001:

|                 | US\$         |   |
|-----------------|--------------|---|
| <b>Lesotho</b>  | 107,000.00   | Final payment of contribution to Current Budget 2000/2001                       |
| <b>Congo</b>    | 143,135,97   | Partial payment of arrears 1999/2000  |
| <b>Zimbabwe</b> | 743,418.00   | Full payment of arrears 1999/2000   |
| <b>Libya</b>    | 2,334,918.65 | Full payment of arrears 1999/2000 and partial payment of 2000/2001 contribution |

32. The Committee was also informed that Zimbabwe had promised to settle shortly its contribution towards the current financial year, while Chad had announced full payment of all its outstanding contributions.

33. The delegation of Ghana took the floor to give assurance that Ghana would continue to meet its obligations to the Organization.

34. The Committee took note of the Report.

v) **Report of the Fifteenth Session of the Committee on Contributions (Doc. CM/2189 (LXXIII))**

35. The above report was presented by H.E. Mr. Pascal Ngoga, Ambassador of the Republic of Rwanda and Chairman of the Committee on Contributions. He recalled that the Committee which meets twice a year in accordance with its Rules of Procedure, prior to the sessions of the Council of Ministers, had held its Fifteenth Ordinary Session on 6 February 2001.

36. Ambassador Ngoga indicated that Member States under sanctions or with arrears of contributions had addressed the Committee. He stressed that most States had indicated that internal conflicts or insecurity in some regions were the principal factors behind the financial difficulties they were facing. In that respect, Ambassador Ngoga underscored the fact that while recognizing the difficult economic situation of the States concerned, the Committee was of the opinion that the sanctions regime should be strictly applied, since such situations in no way justified the non-payment of contributions.

37. Concluding, the Ambassador recalled the recommendations of the Fifteenth Ordinary Session of the Committee on Contributions and intimated that five (5) Member States namely: Burundi, Equatorial Guinea, Niger, Sierra Leone and Chad would be under sanctions at the opening of the Seventy-third Ordinary Session of the Council of Ministers, if they did not comply with the terms and conditions of their respective rescheduling plans.

38. The Ambassador further stated that the Committee had recommended that the sanctions imposed on the following Member States be maintained, namely, Guinea, Guinea Bissau, Liberia, Central African Republic, Democratic Republic of Congo, Federal Islamic Republic of The Comoros, Sao Tome and Principe and Seychelles.

39. The view of the Committee, according to its Chairman was that some recommendations should be reaffirmed; namely that States under sanctions should pay their contributions to the current budget; that States which pay 30% of their outstanding arrears should be granted a temporary and provisional waiver; that none of these exemptions would in any way have the effect of circumventing the mandatory sanction

prohibiting the recruitment of nationals of defaulting Member States as new staff of the Organization as provided for in Resolution CM/Res.1311(LII).

40. Following that presentation, the Ambassador of the Republic of Chad informed the meeting that his country was going present a cheque to the General Secretariat to clear its arrears of contributions. The Ambassador of the Republic of Zimbabwe also informed the meeting that his country had paid the sum of US\$ 743,418 to the Organization in settlement of its arrears, under the 1999-2000 financial year. The Ambassador of Burundi for his part reminded the Committee that the rescheduling plan his country had signed in 1998 provided for an annual payment of its arrears, the deadline for payment being 31 May of each year. He added that his country should therefore benefit from a provisional waiver up to 31 May 2001.

41. In reply, the Chairman of the Committee on Contributions pointed out that compliance with the provisions of rescheduling plans should be accompanied by regular payment of contributions to the current regular budget.

42. At the end of the debate, the Committee took note of the Report and endorsed the recommendations contained therein.

vi) **Report of the Eighth Session of the Committee on Conferences (Doc. CM/2184 (LXXIII))**

43. The report of the 8<sup>th</sup> Ordinary Session of the Committee on the Conferences was presented by H.E. Dr. Alex Kamugishe, Ambassador of Uganda to Ethiopia and Permanent Representative to the OAU, as Chairman of the Committee. The Committee Chairman reported that the Committee held its Session on 26 October 2000.

44. On the implementation of the calendar of meetings for the period from June 1999 to May 2000, the Chairman informed the meeting that Members of the Committee had deplored the low rate of implementation for the all the meetings ranging 0% to 50%. The reasons had been given as the on-going restructuring, lack of resources, and a series of unscheduled meetings which were held during the period. The Committee further pointed out that there were too many meetings planned and the Secretariat was not in position to hold all of them. Member also discussed at length factors responsible for poor implementation and made the following recommendations:

- a) the documents should be sent at least two (2) weeks in advance, for better preparation;
- b) the calendar of meetings should be rationalized so as to have fewer meetings which were identified as priority, important and urgent;
- c) it was necessary to have a balance between all the Departments and regional offices as regards the programming of meetings;
- d) there was need to have a better and a standard format for the presentation of reports on implementation of programmes, highlighting:
  - meetings approved
  - meetings held and
  - those not held with detailed justifications and the reasons for non-implementation, etc..
- e) for any unscheduled meetings the Bureau of the Committee should be scheduled in advance, before they are organized and Member States should be informed about changes or cancellation of meetings;
- f) information about meeting of the Central Organ and the related agenda should also be sent in advance to the Member States, particularly those not represented in Addis Ababa.

45. Following this detailed presentation, the delegation of Egypt informed the Committee that the Eighth All Africa Trade Fair would be held in March/April 2002 depending on the preparations made by the OAU Secretariat, and that the exact dates would be communicated to all Member States at a later date.

46. Introducing the Global Calendar of meetings for the period June 2001 to May 2002, H.E. Dr. Kamugishe informed the meeting that the list annexed to the report had been agreed upon after detailed discussion and consultation with all parties concerned. It reflected the work programme as well as the statutory meetings requested by either the Council of Ministers or the Assembly of Heads of State and Government.

47. During the discussion one delegation proposed that the Sub-Committee on Programmes should be revived. All meetings would be seen to be tied to the agreed programme. After this, the Advisory Committee would be able to allocate funds for all meetings after.

48. The meeting endorsed the calendar of meetings with amendment by Egyptian on the Eighth All Africa Trade Fair.

49. Finally, the Committee took note of the Report.

vii) **Consideration of the Draft Programme Budget for the Financial Year 2001/2002 (Doc. CM/2185 (LXXIII))**

50. The draft Programme Budget for the 2001/2002 financial year was presented by H.E. Mr. John Kayode Shinkaiye, Ambassador of the Federal Republic of Nigeria to Ethiopia and Permanent Representative to the OAU, Chairman of the Advisory Committee on Administrative, Budgetary and Financial Matters. During the presentation, Ambassador Shinkaiye indicated that the Draft Programme Budget under consideration was a transition programme budget, and that the proposals contained therein had been examined in detail by the 69<sup>th</sup> Ordinary Session of the Advisory Committee held in December 2000 and January 2001 respectively. The budget proposals submitted by the General Secretariat stood at US\$33,441,801 whereas the programme budget for the 2000/2001 fiscal year amounted to US\$ 29,000,000. The current proposal – US\$ 33,441,801 – was justified by the cost of new programmes and expenses relating to the vacant posts to be filled. However, in view of the economic and financial difficulties facing Member States, the Committee had decided to appropriate an amount of US\$ 31,000,000, and requested the General Secretariat to make the necessary adjustments within the limits of this ceiling. The ceiling in question (US\$ 31,000,000) represents 6.89% increase in relation to the 2000/2001 programme budget of US\$ 29,000,000, and 2.35% of the average expenditure for the preceding three years, which amounted to US\$ 30,289,600.

51. The readjustments undertaken by the General Secretariat had been examined by the Advisory Committee during the adoption of the report of its 69<sup>th</sup> Ordinary Session.

52. The Chairman of the Advisory Committee further stated that, in his view, all the observations and comments made during that meeting had been taken into consideration by the Secretariat, with the exception of

the remarks regarding the budget allocation to the Nairobi Office which was deemed to be too high, whereas the appropriations for the Niamey Office, Yaounde Office and Conakry Office which, like the Nairobi Office were yet to be restructured, were on the decrease.

53. Ambassador Shinkaiye, pointed out that the US\$ 1,000,000 traditionally allocated to the Special Emergency Assistance Fund for Drought and Famine in Africa had been reduced to US\$ 750,000, whereas the scourges necessitating that allocation had not abated. In conclusion, the Advisory Committee Chairman stated that he did not believe that a reduction of US\$250,000.00 from that Fund was justified at this time, and suggested that the Secretariat should make necessary adjustments.

54. The floor was then given to the Assistant Secretary General in charge of the Policy Co-ordination and Programmes Department. In his statement, the Assistant Secretary General highlighted the broad outlines of the Programme Budget for the 2001/2002 financial year amounting to US\$ 31,000,000 which he recommended to the Committee of Ambassadors and Other Plenipotentiaries for adoption.

55. Following the presentation by the Chairman of the Advisory Committee and the statement by the Assistant Secretary General, several delegations took the floor to comment on the following major points :

- **Reduction of the appropriation for the Special Emergency Assistance Fund for Drought and Famine in Africa from US\$ 1,000,000 to US\$ 750,000.** On this point, the Secretariat assured the Committee of Ambassadors and Other Plenipotentiaries that it would ensure that the appropriation for the Special Fund would be reviewed upwards. The possibility of extending the Fund to cover other calamities was suggested.
- **Review of the scale of assessments.** On this point, the Secretariat promised to do its utmost so that work on the revision of the scale of assessments could begin as quickly as possible. To this end, independent consultants would be recruited and would complete their work in accordance with clearly defined terms of reference ;
- **Zero programme budget growth.** On this point the Secretariat explained that the zero growth would as a

**matter of fact result in a negative growth which would be perceived by the partners of the Organization as lack of commitment on the part of Member States.**

56. At the end of the deliberations, the Committee of Ambassadors and Other Plenipotentiaries took note of the draft Programme Budget for the 2001/2002 Financial Year and recommended it to the Council of Ministers for approval (after the adjustments agreed upon would have been made).

viii) **Progress Report of the Secretary General on the Implementation of the Restructuring of the OAU General Secretariat (Doc. CM/2190 (LXXIII) Rev.1**

57. The Report was presented by the Assistant Secretary General in charge of Administration and Finance. In his presentation, the Assistant Secretary General pointed out that the Transition Team set up in May 1999 by the Secretary General had completed its task at the end of December 2000 and that a Change Management Team of which he is the Chairman, had been set up.

58. The Assistant Secretary General then briefed the meeting on further action taken in the restructuring exercise, as follows:

- on the basis of the vacancy announcements sent to all Member States, several hundreds of applications for the 80 vacant posts to be filled had been received and the Secretariat was in the process of listing them out;
- the career development plan enjoyed by technical staff would soon be applicable to the professional staff;
- every step was being taken so that the staff may henceforth work in a sound and enabling environment;
- necessary arrangements have been made for the acquisition of equipment required for the introduction within the Secretariat of the new Information and Communication Technologies (CIT);
- skills up-grading programmes in computer and for the security service have been put in place



59. With regard to the "Friends of The OAU" that is, the four countries (Canada, The Netherlands, Norway and Sweden) which contribute to the financing of the restructuring, it was envisaged to expand the group to other donor countries which are ready to finance the programmes on the basis of an equal partnership with the OAU the sole Executing Agency.

60. Following the presentation, some delegations called on the Secretariat to make future recruitments on the basis of criteria like competence, fairness, equitable geographical distribution, transparency and bilingualism to some extent, that is, as added advantage. Other delegations stressed the need for the General Secretariat to provide Member States with regular information on the progress of the restructuring. They also underscored the fact that Member States should be involved in the on-going process. One delegation requested information on the correlation between the restructuring process and the African Union. Another delegation pointed to the need to review staff salary, and suggested that a study should be carried out on the matter for consideration by the competent organs. One delegation wanted to know whether all Regions were represented on the Change Management Team. Some other delegations requested that:

- the list of consultants recruited by the Secretariat should be communicated to all Member States, with indications as to their countries of origin and their terms of reference;
- staff problems as raised by one Assistant Secretary General should be referred to the Committee on Structural Reform for consideration;

61. The Assistant Secretary General in charge of the Department of Administration and Finance took the floor again to clarify the following points:

- no recruitment had been carried out within the past few months;
- the list of consultants would be prepared and made available to Member States;
- regarding recruitment, emphasis should be placed firstly on competence if qualified staff are to be recruited. Geographical representation would subsequently be taken into consideration;

- members of the Change Management Team were senior officials of the Secretariat serving in their individual capacity;
- vacancies in the new structure take into account the objectives of the African Union and recruitment would be carried out according to the requirements of the Union.

62. At the end of the deliberations, the Committee took note of the Progress Report of the Secretary General on the Implementation of the Restructuring of the OAU General Secretariat.

ix) **Progress Report of the Ad-Hoc Committee on the Structural Reform of the OAU (Doc. CM/2191/2199 (LXXIII) Rev. 1**

63. The above report was introduced by H.E. Mr. Emmanuel Mendoume-Nze, Ambassador of the Republic of Gabon to Ethiopia and Permanent Representative to the OAU, Chairman of the Committee.

64. In his presentation Ambassador Mendoume-Nze stated that, pursuant to Council Decision CM/Dec.461(LXX), in Algiers, in July 1999, two joint missions of Member States/Secretariat had been fielded; the first to Nairobi, Kenya, and Yaoundé, Cameroon, to consult with the authorities of these two countries hosting IBAR (Inter-African Bureau for Animal Resources) and the IAPSC (Inter-African Phyto-Sanitary Council) respectively. The second mission visited Bamako, Republic of Mali, current Chairman of the Conference of Ministers of Member States of the Fouta-Djallon Highlands Integrated Development Project, as well as the Current Chairman of ECOWAS . The mission then proceeded to Conakry, Guinea, host country of the International Coordination Office for the Fouta-Djallon Highlands Integrated Development Project (PRAI-MFD); and lastly to Niamey, Niger, host of the Centre for Linguistic and Historical Studies by Oral Tradition (CELHTO).

65. He recalled the principles underpinning the consultations spelt out by the above-mentioned Decision, namely: explain to the Member States visited, the various options that had been proposed for the restructuring of the Scientific and Technical Offices. The exercise was aimed at aimed at rational utilization of the meagre resources allocated to the General Secretariat, in an attempt to reverse the current trend whereby operational expenses consumed more than 75% of the budget.

66. After this presentation Ambassador Mendoume-Nze invited the Committee to pay particular attention to paragraphs 12, 17, 24 and 38 which reflected the recommendations of the Ad-Hoc Committee of Fifteen on the four offices concerned, as well as paragraph 24 containing the reservations made by some Member States regarding the recommendations on the Fouta-Djallon Project.

67. At the end of the presentation, the Chairman proposed that since the mission had been undertaken at the request of the Council of Ministers, the Committee should take note of the report and transmit same to Council for a decision.

68. In the ensuing debate, a number of delegations took the floor to reaffirm the reservations tabled during the Twenty-Seventh Ordinary Session of the Ad-Hoc Committee of Fifteen in Addis Ababa.

69. Those delegations affirmed that they accepted the principle of transfer of responsibility of the International Co-ordination Office and the entire programme of the Fouta-Djallon Highlands Integrated Development Regional Project (PRAI-MFD) to ECOWAS. They however indicated that it would be necessary, first and foremost, to define the modalities and conditions of the transfer and obtain the consent of the 15 ECOWAS Member States before transfer was effected.

70. With regard to CELHTO Office, those same delegations maintained that they could not accept the recommendations of the Committee to transfer CELHTO's assets to IRSH which was a national institution. They would rather like to see the mandate of the Office extended to cover the entire continent. The Office should be endowed with appropriate and revitalized structure and given adequate resources for its operation.

71. At the end of the deliberations, the Chairman proposed the setting up of the Sub-Committee composed of the Member States that made reservations on the Conakry and Niamey Offices to study the matter on the spot and make recommendations to the Committee. At the request of the Chairman of the OAU Ad-Hoc Committee of 15 on Structural Reform, Mauritius, Mozambique and Tunisia as members of the Bureau of the said Committee were chosen to serve on the sub committee.

72. The conclusions and recommendations of the sub-Committee are that Council should:

### **Fouta-Djallon Highlands Project**

1. Endorse the principle of the transfer of responsibility for the Fouta-Djallon Highlands Integrated Development Programme to ECOWAS;
2. Urge the General Secretariat to take the necessary steps to ensure the immediate take off of the Institutional and Technical Studies;
3. Call on the General Secretariat of the OAU to carry out consultations with the Secretariat of ECOWAS to work out the transfer modalities, on the understanding that the outcome of these consultations would be presented to the policy organs of the two organisations for final decision on the transfer;
4. Request the General Secretariat to submit the outcome of the above-mentioned consultation to the 75<sup>th</sup> Ordinary Session of the Council of Ministers;
5. Request the General Secretariat to continue to provide the International Coordination Office with financial assistance for the execution of its programmes, give it all the necessary support towards mobilisation of resources and to make its programmes better known to the beneficiary states and donors;
6. Further request the Government of Guinea to give the International Coordination Office all the necessary assistance and facilities for its functioning, and for the maintenance and up-keep of its premises.
7. Recommend to Council to authorise the Secretary General to release those staff members who have opted for voluntary departure in conformity with the laid down modalities.

### **Niamey CEHLTO Office**

1. Take note of the Recommendations of the 27<sup>th</sup> Ordinary Session of the Ad Hoc Committee on Structural Reform.

2. Recommend that a supplementary study be carried out by an Independent Expert on an agreed Terms of Reference.
3. Request the General Secretariat to submit a detailed Report on the outcome of the above-mentioned study to the 75<sup>th</sup> Ordinary Session of the OAU Council of Ministers.
4. Recommend to Council to authorise the Secretary General to release those staff members who have opted for voluntary departure in conformity with the laid down modalities.

73. With regard to the Offices of OAU/IBAR in Nairobi and OAU/IAPSC in Yaounde, the Committee recommends for adoption by Council, the following :

a) **OAU/IBAR Office**

- i) OAU/IBAR remains a structure of the OAU with a wide degree of administrative and financial autonomy.
- ii) OAU/IBAR should be provided with high level professional leadership to enable it carry out its mandate efficiently.
- iii) A multidisciplinary team of experts should be recruited to carry out a detailed evaluation of the activities of IBAR and propose a new structure for the OAU/IBAR.
- iv) The Team should take into account most of the proposals made under option one (para 49-51 of Document DTT/25/1).
- v) The Team should conduct wide consultations before making its submission.
- vi) The Team should also evaluate the staff and identify those who will fit in the new structure.
- vii) In setting up the multidisciplinary teams, the OAU should take advantage of the financing available under some OAU/IBAR projects for capacity building referred to above.
- viii) IBAR Office should design and implement an information and communication strategy to disseminate information about its

activities to all Member States, their representatives at the OAU Headquarters, partners and potential partners.

- ix) The OAU Secretariat should provide assistance to the OAU/IBAR Office to develop programmes, carry out resource mobilisation and outreach programmes to beneficiaries and donors.
- x) The Kenyan Government commits itself to put at the disposal of OAU/IBAR appropriate office accommodation for its functioning and ensure its maintenance as well as all other facilities necessary for its functioning.
- xi) Pending the implementation of this programme and once the Council has taken a decision on the matter the Council could authorize the Secretariat to put in place the offer for early/voluntary departure package. This action will address the concerns of many staff who are anxious to leave and at the same time result in substantial cost savings.

b) **OAU/IAPSC**

- i) OAU/IAPSC remains a structure of the OAU with a wide degree of administrative and financial autonomy.
- ii) OAU/IAPSC should be provided with high level professional leadership to enable it carry out its mandate efficiently.
- iii) A multidisciplinary team of experts should be recruited to carry out a detailed evaluation of the activities of the IAPSC and propose a new structure for the OAU/IAPSC.
- iv) The team should take into account most of the proposals made under option one (para 65-68 of document DTT/25/1).
- v) The Team should conduct wide consultations before making its submission.
- vi) The Team should also evaluate the staff and identify those who will fit in the new structure.

- vii) In setting up multidisciplinary teams, the OAU should take advantage of the financing available under some OAU/IAPSC projects for capacity building referred to above.
- viii) IAPSC Office should design and implement an information and communication strategy about its activities to all Member States, their representatives at the OAU Headquarters, partners and potential partners.
- ix) The OAU Secretariat should provide assistance to the OAU/IAPSC Office to develop programmes, carry out resource mobilization and outreach programmes to beneficiaries and donors.
- x) The Cameroonian Government commits itself to put at the disposal of OAU/IAPSC appropriate office accommodation for its functioning and ensure their maintenance as well as all other facilities necessary for its functioning.
- xi)** Pending the implementation of this programme and once the Council has taken a decision on the matter the Council could authorize the Secretariat to put in place the offer for early/voluntary departure package. This action will address the concerns of many staff who are anxious to leave and at the same time result in substantial cost savings.
- x) **Report of the Secretary General on the Status of the OAU Peace Fund (Doc. CM/2192 (LXXIII))**

74. The Report of the Secretary General on the OAU Peace Fund was introduced by the Assistant Secretary General in charge of Administration and Finance. In his presentation, the Assistant Secretary General said that the Peace Fund which was established in 1993 had made it possible to mobilize a total of US\$ 38,066,053.16 as at 30 November 2000. He further stated that the bulk of the contributions so far received was made by OAU partners and that over 80% of the resources mobilized on the Continent came from the 6% transfer from the regular budget of the OAU. The Assistant Secretary General pointed to the critical financial situation of the Fund and the negative impact of that situation on the activities of the Mechanism as well as on the Continent's capacity to effectively deal with conflict situations.

75. In conclusion, the Assistant Secretary General assured the Committee that the General Secretariat would step up its efforts towards mobilization of increased resources from OAU's partners, and stressed the primary responsibility devolving on Member States and the urgent need for them to invest more sustained effort to enable the Organization to raise resources commensurate with the challenges to be addressed in the area of conflict prevention and management.

76. The delegations which took the floor commended the Secretary General for the report, while expressing the wish to be provided with more detailed information on the expenses incurred on the activities of the OAU mission in Burundi (OMIB). These delegations recalled that they had, on numerous occasions, asked the General Secretariat to keep the Central Organ regularly informed of OMIB's activities, the results it has achieved as well as more precise indications of the expenses made within the framework of the mission, which had amounted to nearly US\$ 5 million.

77. In reply, the Assistant Secretary General indicated that the amount mentioned in the report was not the cost of OMIB for one year, but rather the total expenditure of the mission for the period running from 1 June 1993 to 30 November 2000. In this connection, he recalled that the OMIB staff strength had been reduced considerably, as the Mission currently comprise only two staffers. He added that the mission was being maintained because the OAU needed to continue to lend support to the Burundi peace process, notably the implementation of the Arusha Peace and Reconciliation Agreement. He also recalled that the Special Representative of the OAU Secretary General to Burundi was a member of the Monitoring Committee of that Agreement.

78. Following the debates, the Committee of Ambassadors and Other Plenipotentiaries:

- expressed its gratitude to OAU's partners who have made contributions to the Peace Fund and urged them to continue providing such assistance ;
- commended the Member States that have made voluntary contributions to the Fund and underscored the urgent need to mobilize additional resources within the Continent ;
- requested the General Secretariat to use appropriate strategies to pursue and intensify its efforts at mobilizing



additional resources that would enable the OAU Mechanism for Conflict Prevention, Management and Resolution to play its role effectively.

### III. ECONOMIC MATTERS

1. Report of the Secretary General on Progress in the Implementation of the Treaty Establishing the African Economic Community (AEC) :

a) Implementation of the Algiers and Lome Decisions and Regulations on Economic Matters (Doc. CM/2193 (LXXIII)a

79. The various issues under Economic Matters were presented one by one, by the Assistant Secretary General in charge of Community Affairs Department. The presentation highlighted the progress in implementing the Algiers and Lome decisions, the constraints encountered, future prospects and specific recommendations to be submitted to the Council for consideration and adoption. Following this presentation, the Committee, after deliberation, made the following recommendations for adoption by Council:

(i) Ratification of or Accession to the Abuja Treaty

- Request all Member States that have not already done so, to ratify the Treaty establishing the African Economic Community (AEC) or accede to it, as the case may be, and transmit their instruments of ratification or accession to the OAU/AEC Secretary General.

(ii) Functioning of the Specialized Technical Committees

- Request the General Secretariat to take urgent and necessary measures to convene the remaining Specialized Technical Committees provided for in Article 25 of the Abuja Treaty which are yet to meet.

(iii) **Implementation of the Yamoussoukro Decision  
Concerning the Liberalization of Access to Air Transport  
Markets in Africa**

- Request all Member States to deploy all efforts for the accelerated liberalization of air transport services in the continent in conformity with the Yamoussoukro decision;
- Urge the Monitoring Body to ensure the effective implementation of the decision within the stipulated time frame.
- Appeal to donors to contribute to the financing of activities approved in the Decision.

(iv) **International Negotiations and Initiatives**

**ACP-EU Cotonou Partnership Agreement**

- Endorse the decision of the 3<sup>rd</sup> Ordinary Session of the Conference of African Ministers of Trade meeting under the auspices of the African Economic Community (AEC) that:
  - the AEC Committee on Trade, Customs and Immigration matters should identify the ways and means to ensure coordination of initiatives undertaken by the African Group in Geneva and Brussels to avoid contradictory positions in the various negotiations at the WTO and with the ACP-EU Group;
  - the OAU/AEC General Secretariat should organize a meeting of the Specialized Technical Committee on Trade in order for Africa to formulate and adopt a Common Position in preparation for the negotiations between the ACP and the EU, which is due to start in September 2002. The proposed African Common Position should emphasize the ways and means by which future Agreements would strengthen the production and trade capacities of African economies, including the Services trade sector;
  - the OAU General Secretariat should carry out studies on all aspects of the Cotonou Agreement, including all Trade Options such as the Economic Partnership (REPAs) proposed by the EU and any other alternative trade agreements, that

would preserve the preferential access, in conformity with the trade liberalization and integration programmes of Africa:

- Request the Secretary General, in collaboration with the Executive Secretary of the UNECA and the President of the African Development Bank, to take the necessary measures to enable the OAU Panel of Experts on Negotiations to provide all the necessary assistance to African negotiators to formulate and defend the African Common Position.
- Further Request the Secretary General to reinforce the collaboration of the OAU/AEC with the Secretary General of the ACP Group so as to better coordinate the African strategy in the forthcoming negotiations of all aspects of the ACP-EU Cotonou Agreement;
- Urge All Members States, members of the ACP Group to maintain solidarity and close ranks during the preparatory process and the negotiations.
- Urge the World Trade Organization (WTO) to favourably consider the application to secure derogation to the WTO Agreements for the ACP-EU Cotonou Partnership Agreement.

### **The Third UN Conference on the Least Developed Countries (LDCs)**

- Took note of the update provided in respect of the meeting of the Preparatory Committee of the Third UN Conference on the LDCs held in New York on 8-12 February, 2001 and urges all Member States to prepare adequately within the African Group and the Group of 77, in order to articulate and define Africa's interests in the Conference on LDCs scheduled for May 2001.

### **The World Trade Organization**

- The provision of adequate resources to the OAU/AEC Advisory Panel on Negotiations, for the urgent preparation of the necessary technical studies on the issues jointly identified with the African Groups in Geneva and Brussels.
- Direct the Economic and Social Commission of the OAU/AEC to consider an appropriate mechanism for coordinating and guiding

the preparatory processes in Geneva and Brussels, and monitor the negotiations in order to ensure that they do not undermine the process of establishing African Economic Community.

### **U.S. Trade and Development Act/Africa Growth and Opportunity Act**

- Take note of the institutional machinery of the Act, namely
  - the U.S./Sub-Saharan Africa Summit to be convened every two years;
  - the U.S./Sub-Saharan Africa Trade and Economic Forum to be held at the levels of Ministers of Foreign Affairs and the U.S. Secretary of State; Ministers of Trade and U.S. Secretary of Commerce; Ministers of Finance and U.S. Secretary of the Treasury;
  - U.S./Sub-Saharan African NGOs and U.S. NGOs.
- Express concern over the conditionalities and limitations as well as the restrictive character of the Act and that the structure and approach for convening the joint Trade and Economic Forum which would undermine the unity of Africa as they limited participation of some OAU Member States.
- Endorses the Decision of the African Ministers of Trade to request the OAU Secretary General to develop the practical and operational modalities for the establishment of the a Consultative Mechanism on the U.S. Trade and Development Act taking into account the need to:
  - develop a joint African strategy to promote a more inclusive approach, including the examination of the method by which African countries had met their eligibility requirement; and
  - establish an Inter-Governmental Mechanism to define the participation and agenda for the envisaged U.S.-Sub-Saharan Summit, including the role of the OAU Secretariat and the African Ambassadors in Washington.
- Request the OAU General Secretariat to work in collaboration with the UNECA, UNCTAD, the RECs and other relevant organizations to conduct an in-depth study to identify the

potential benefits, the problems posed by the Act to Member States, as well as their capacity to take advantage of the Act.

- Urge the U.S. Government to include as many African countries, as possible, in the eligibility list and expand the product coverage of the Act, as well as simplify the procedure for benefiting from it;
- Request the Secretary General to carry out consultations with the U.S.-side in order to ensure the full participation of all Member States of the OAU in the proposed Joint Summit and the Trade and Economic Forum.

### China-Africa Forum

- Welcome the outcome of the China-Africa Forum (Beijing 2000) and recommend that Member States examine the Beijing Declaration and Programme for China-Africa Cooperation in order to draw maximum benefit from it.

b) **Cooperation between the AEC and RECs (Doc. CM/2193 (LXXIII)b**

- Request Council to consider and adopt the conclusions of the first meeting of the Committee on Coordination provided for in the Protocol on Relations between the AEC and the RECs, which took place recently in Tripoli, from 22 to 24 February 2001.

c) **Establishment of the African Energy Commission (Doc. CM/2193 (LXXIII)c**

80. The Committee adopted the proposal from the Secretariat on the immediate establishment of AFREC and called on the Secretary General to:

- Convene a conference to consider establishing the Commission.
- Mobilise funds for launching the Commission

81. The Committee also welcomed the invitation of Algeria to host the next meeting of the Ministers of Energy where AFREC would be launched on a date to be agreed upon in consultation with the Secretariat.

d) **Eradication of Tse-Tse Fly in Africa (Doc. CM/2193 (LXXIII)d)**

82. After extensive discussion on the matter, during which it was observed and pointed out that Heads of State and Government had rightly noted the seriousness of the issue, the Committee agreed to recommend to Council to :

- a) **Take note** of the progress made so far in this regard and, in particular, the outcome of the consultative meeting ;
- b) **Endorse** the recommendations of the Task Force, namely, that the Council :
  - i) **support** the Task Force in its efforts to finalize the Plan of Action, the activity programme, and the 2001 Declaration relating to the eradication of tse-tse flies ;
  - ii) **invite** all affected Member States to adopt an inclusive and holistic inter-sectoral approach to the eradication of tse-tse flies in Africa ;
  - iii) **invite** all affected Member States to participate in regional tse-tse fly eradication programmes within the framework of the Action Plan, the activity programme and the 2001 Declaration ;
  - iv) **support** resource mobilisation campaigns to support/underpin the campaign to eradicate tse-tse flies ; and
  - v) **recommend** that tse-tse fly eradication and control of human trypanosomiasis be an agenda item during the next session of the Conference of African Ministers of Health.
  - vi) **Leave** to the discretion of the Secretary General how best to approach the issue of tse-tse fly eradication, especially at the regional level.
- e) **Preparation for the 8<sup>th</sup> All-Africa Trade Fair (Doc. CM/2193 (LXXIII)e)**

83. The meeting deliberated on pertinent issues and took note of the report as presented and decided to make recommendations for the consideration of Council as follows:

- (a) endorse the decision of the 3<sup>rd</sup> Conference of African Ministers of Trade held under the auspices of the AEC Committee on Trade, Customs and Immigration that the 8<sup>th</sup> All-Africa Trade Fair be held in Egypt in March/April 2002;
- (b) request the Secretary General to carry out consultations with the Government of Egypt in order to fix the precise dates for the Fair;
- (c) constitute the Technical Organizing Committee for the 8<sup>th</sup> All-Africa Trade Fair as follows:
  - (i) Chairman: Egypt;
  - (ii) Members: Nigeria, Senegal, Sudan, Cameroon and South Africa;
  - (iii) Representatives of Regional Economic Communities: ECOWAS, COMESA, ECCAS, UMA, SADC, CENSAD and IGAD;
  - (iv) Collaborating Agencies: International Trade Centre (ITC) of UNCTAD/WTO, UNIDO, UNCTAD Secretariat, ACP Secretariat, ACP Chamber of Commerce, FAO, UNECA, ADB, FAO, Union of African Radio and Television Agencies (URTNA), the Pan-African News Agency (PANA), the African Federation of Women Entrepreneurs (AFWE), the East and Southern Africa Business Organization (ESABO), the Africa-Export/Import Bank (AFREXIMBANK), Association of African Airlines (AFRAA), the World Tourism Organization (WTO), the International Chamber of Commerce, and Union of International Trade Fairs.
- (d) Establish the calendar of meetings of the Technical Organizing Committee as April/May 2001, October/November 2001 and January/February 2002;
- (e) Appeal to ;the Commission of the European Union, the UNDP and all Bi-lateral Development Partners of the OAU to favourably consider requests of the OAU and/or its Member States for financial and technical assistance to facilitate the holding of the Fair;

- (f) Urge all Member States to make early plans and preparations in order to mobilize their economic operators to massively participate in the Fair.
  - (g) Request the Secretary General to present periodic reports to Council so as to ensure the success of the Fair.
- f) **Preparation for the External Debt Conference (Doc. CM/2193 (LXXIII)f**

84. The Committee took note of the Report. During the discussions queries were raised an clarification was provided on the necessity of engaging a consultant to carry out the study in preparation for the Experts Regional Workshop. Some delegations were of the view that there were previous studies undertaken by consultants which did not yield any result in either the contact with the G8 or in the negotiations during the Europe-Africa Summit held in Cairo in April 2000.

85. The Committee was reminded of the directives of the Heads of State and Government to the Secretary General contained in the relevant Decision, AHG/OAU/AEC/Dec.1 (IV) adopted in Lome, Togo on 10-12 July 2000, which inter-alia requested the Secretary General to set up a Group to assist the OAU Contact Group on Africa's external debt in formulating specific measures aimed at resolving Africa's external debt problem. Consequently, the meeting took note of the preparations underway for an African Regional Experts' Workshop on Africa's external debt by May/June 2001 and that its recommendations would be submitted to the first meeting of the AEC Specialised Technical Committee on monetary and financial matters in October/November 2001. The Committee requested the Secretary General to carry out consultations on the venue of the workshop.

- g) **Review of the 1968 African Convention on the Conservation of Nature and Natural Resources (Doc. CM/2193 (LXXIII)g**

86. On the issue of review and updating the 1968 African Convention on the Conservation of Nature and Natural Resources (Algiers Convention) in order to take into account new developments and regulatory framework, the Assistant Secretary General in charge of Community Affairs reported that the General Secretariat has set up an Inter-Departmental Task Force as well as an Inter-Agency Task Force made up of OAU, UNEP, ECA, IUCN to deal with the :



- (i) convening of a Conference of parties to the Algiers Convention ;
- (ii) establishment of an independent Convention Secretariat ;
- (iii) creation of a Financial Mechanism for the implementation of the Convention.

87. After the presentation it was agreed to recommend to Council to :

- (i) Urge Member States to transmit to the General Secretariat their views and comments on the draft revised text of the Convention, to facilitate finalization of the revision process ;
- (i) Further urge Member States to send sufficiently qualified and experienced environmental and legal experts to the experts meeting referred to in (ii) above.
- (iii) Authorize the Secretary-General to allocate sufficient financial resources for the experts meeting to be convened in this regard.

2. **Report of the Secretary General on the Follow-up of the Africa-Europe Summit (Doc. CM/2194 (LXXIII))**

88. The Committee was briefed on the major developments, and activities of the OAU Committee and General Secretariat since the Lome Summit of the OAU. Among these developments was the convening of the first meeting of the Bi-Regional Group that had been established in the Follow-up Mechanism of the Cairo Plan of Action, in Brussels in November 2000. The Committee was informed of the agreement between the African and European sides during the Brussels meeting on the priority subjects to be tackled as well as the unresolved issues, namely:

- (i) the venue of the Ministerial Meetings before the Second Africa-Europe Summit;
- (ii) the venue of the Second Meeting of the Bi-Regional Group in Addis Ababa in respect of which there were alleged threats of non participation by Morocco if the meeting were held in the OAU General Secretariat and by the EU, if Morocco did not attend;

- (iii) the candidature of Burkina Faso to host the first Africa-EU Ministerial meeting against the offer of Belgium to host the same meeting;
- (iv) the number of ministerial meetings to be held to implement the Cairo Plan of Action (one meeting a year according to interpretation by the European side, or three meetings according to the African side).

89. The presentation was followed by in-depth discussion and analysis of all pertinent issues including the implications of the position of the EU and Morocco, regarding their alleged non participation in the Second meeting of the Bi-Regional Group.

90. The discussion also revealed that the central issue was the unresolved Moroccan-Saharawi problem. In that regard, the meeting recalled the sovereign decision that the Saharawi Republic had taken unilaterally not to participate in the Cairo Summit, and noted the subsequent sovereign decision of SADR to now participate fully, as an OAU Member State, in all the follow up activities on the Africa-Europe Summit.

91. At the end of the discussion, the Committee decided to:

- a) recommend to Council to support the candidature of Burkina Faso to host the first Africa-EU Ministerial meeting;
- b) bring to Council's attention:
  - (i) the need to interpret the decisions in the Cairo Plan of Action (paragraphs 37, 125 and 127 (b) on the number of ministerial meetings to be organised before the Second Africa-Europe Summit;
  - (ii) the need to decide on the precise venue of the Second meeting of the Bi-Regional Group in Addis Ababa, in view of the threat of non participation of Morocco and

EU in the meeting if held in the OAU General Secretariat;

- (iii) the number of ministerial meetings before the Second Africa-Europe Summit.

#### IV. LEGAL MATTERS

- (i) Report of the Secretary General on the Nomination of New Members of the OAU Ad Hoc Administrative Tribunal - CM/2195(LXXIII)

92. In introducing the report, the representative of the General Secretariat recalled the history and mandate of the OAU *Ad Hoc* Administrative Tribunal set up by the Council of Ministers in 1967. He noted that the outgoing judges from Kenya, Lesotho and Libya had held two sessions in 1998 and 1999, respectively, and disposed of ten cases. He, accordingly, proposed that the outgoing judges should be commended for the work they had accomplished.

93. Finally, the representative of the General Secretariat pointed out that in conformity with the provisions of Article 1 of the Rules of Procedure of the Tribunal, the Member States recommended for nomination to designate new judges, are Madagascar, Malawi and Mali.

94. Following the Introduction, the Committee took note of the Report and agreed to recommend that Madagascar, Malawi and Mali designate new judges to server on the OAU Ad Hoc Administrative Tribunal.

- ii) Report of the Secretary General on the Status of OAU Treaties - CM/2196 (LXXIII)

95. In introducing the Report, the Representative of the General Secretariat informed the Committee that the Report on the Status of OAU Treaties was intended to periodically remind Member States of the Status of OAU Treaties with a view to drawing their attention to those they had not signed or ratified. He stated that twenty-one (21) treaties/conventions had been adopted under the aegis of the OAU since the latter's inception. He noted that although tremendous efforts had been deployed by Member States a lot still remained to be done.

96. The Representative of the General Secretariat requested Member States to take note and act on the communications already sent out by the General Secretariat inviting candidatures for the African Committee

of Experts on the Rights of the Child and the African Commission on Human and People's Rights for elections to be conducted by the 37<sup>th</sup> Ordinary Session of the Assembly to be held in Lusaka, Zambia, in July 2001.

97. Finally, on the Constitutive Act of the African Union, the Representative drew attention of delegations to new signatures and ratifications since the report was prepared, adding that in respect of ratification, the Status took account only of instruments deposited with the General Secretariat. He concluded by stating that as at 23 February 2001, 42 Member States had signed the Constitutive Act and eleven instruments of ratification had been deposited. He noted that a number of Member States had officially informed the Secretariat that they had ratified the Constitutive Act and wished to deposit the instruments shortly.

98. Following the introduction, the delegation of Sierra Leone informed the Committee that its country had ratified the Constitutive Act and will be depositing the Instrument here in Libya.

99. The Committee, after some clarifications, **TOOK NOTE** of the report and **COMMENDED** Member States that have signed or ratified the various OAU Treaties and **APPEALED** to all those Member States that have not yet signed or ratified these treaties to do so as expeditiously as possible.

#### V. ANY OTHER BUSINESS

100. The representative of Tunisia informed the Committee of Ambassadors and Other Plenipotentiaries of the candidature officially submitted by his country to the International Telecommunications Union (ITU) on 12 January 2001, to host the World Summit on the Information Society slated for 2003. The delegation underscored the special importance of this Summit for developing countries, as it testifies to their willingness to have a grasp of the new information and communication technologies, given the positive impact of these technologies on the development process in these countries.

101. The Tunisian representative pointed to the legitimate aspiration of the African Continent to host a World Summit of this significance, and its determination to be fully involved in the on-going digital revolution. It further referred to the facilities available in his country, thus qualifying it to organize this event, and called on the Committee to :

- support Tunisia's candidature to host the World Summit on the Information Society; and
- invite the African Group in Geneva to initiate the necessary contacts with the International Telecommunications Union (ITU) to enlist support for the candidature.

102. The South African Ambassador informed the Committee of the decision taken by the UN General Assembly, and backed by Africa, to hold the World Conference on Racism, Racial Discrimination, Xenophobia and related Intolerance in South Africa from 31 August to 7 September 2001. In this connection, he renewed his country's invitation to all Member States to fully and actively participate in the said Conference which would take place in a symbolic venue where the most heinous manifestation of racism, namely, apartheid had claimed numerous victims.

103. The South African Ambassador further informed the Member States that South Africa would host the World Summit on Sustainable Development in 2002 to review Agenda 21 and the inter-relationship between socio-economic development and environment, the aim being to reduce poverty, protect the environment and promote sustained development. He called for a massive and effective participation of all Member States in the Summit.

104. The Ambassador of Rwanda for his part, informed the Member States that his country planned to host a Summit of the First Ladies of Africa on HIV/AIDS in Kigali from 10 to 12 May 2001. He called upon the Committee to support this offer.

105. The Nigerian Ambassador reminded the Committee that the OAU Extra-ordinary Summit on AIDS, which would take place in Abuja from 21 – 24 April 2001, and urged all Member States to prepare themselves and participate massively in the Summit.

106. The Committee took note of the above information with appreciation.

## VI. ADOPTION OF THE REPORT

107. The Committee of Ambassadors and Other Plenipotentiaries adopted its report on 24 February 2001 after amendments.

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