



CAB/LEG/23.15

INTER-DEPARTMENTAL TASK FORCE
ON THE IMPLEMENTATION
OF THE SIRTE DECLARATION



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I. INTRODUCTION

The responsibility of following-up the various decisions contained in the Sirte Declaration has been entrusted to the Secretary General. Within the General Secretariat, an Inter-Departmental Task Force was set up under the chairmanship of the Assistant Secretary General (Political) to make recommendations for the implementation of the Declaration.

The Declaration has four aspects to it, namely: (a) establishment of the African Union ; (b) accelerating the implementation of the Treaty Establishing the African Economic Community (the AEC Treaty) ; (c) the mandate given to the current OAU Chairman and President Mbeki of South Africa to engage African external creditors on the question of the African Debt ; and (d) the convening of an African Ministerial conference on Security, Stability, Development and Cooperation in the Continent.

The Declaration stipulates a time-frame within which the decisions enshrined therein are to be implemented. In particular, it will be noted that, in terms of Para. 8(ii)(b) of the Declaration, the Pan-African Parliament is supposed to be established « by the year 2000 ». Furthermore, Member States have been enjoined to complete the process of ratification of the Constitutive Act of the African Union, where appropriate, by December 2000, « in order for the Act to be solemnly adopted in the year 2001 » (Para. 8(iii)). It should be emphasized that the implementation time-table of some of the decisions provided for under the Declaration is somewhat **short**, and will require that all the necessary preparatory activities, studies and meetings relating to the implementation of these decisions be undertaken with the **utmost urgency**. It is in view of this that it is suggested that the recruitment of consultants to undertake some aspects of the preparatory work, as identified in this document, should be regarded as **a matter of priority**.

II. PROCESS AND ACTIVITY SCHEDULES

At its second meeting, the Inter-Departmental Task Force mandated EDECO Department, Political Department and the Legal Division to prepare an integrated document setting out the envisaged process and schedules of proposed activities in respect of all aspects of the Sirte Declaration. This document provides a road-map, so to speak, of the implementation of the various decisions enshrined in the Declaration, as noted above.

1. The Establishment of the African Union

The task of elaborating the Constitutive Act of the African Union will require well-thought out preparatory work. Some of this preparatory work will be undertaken within the General Secretariat by the Legal Division. However, given the enormity of the task, and the time constraints imposed by the time-frame stipulated in the Sirte Declaration, it is imperative that the General Secretariat engage expert lawyers, political scientists and economists as consultants to undertake the task of elaborating the draft Constitutive Act as soon as possible. (Some of these experts will also be retained for the work relating to the establishment of the Pan-African Parliament and the African Court of Justice).

The first task is for the consultants to produce a draft Constitutive Act within the framework of the terms of reference which will govern the consultancy. The consultants should be engaged on a full-time basis and should be based at the General Secretariat for ease of communication, co-ordination and supervision. They should be required to complete their work within two calendar months of signing the contract (within the period December 1999 to February 2000).

It is proposed that a meeting of government experts be held in March 2000 to examine and finalize the draft instrument which will have been prepared by the consultants. Thereafter, a Conference of Competent Ministers should be convened in May 2000 to consider the draft Constitutive Act which will have been prepared by the meeting of government experts. The following activity schedule is proposed:

Date	Activity	Venue	Participation	Financial Implications US\$	Remarks
Dec. 1999 – Feb. 2000	Preparation of Draft Constitutive Act of the African Union by consultants			100,000.00 (25,000 x 4)	
Feb. 2000	Interim Report to Council				
March 2000 (5 days)	Experts' Meeting to formulate the draft Constitutive Act establishing the African Union	Addis Ababa	All Member States	35,000.00	
May 2000 (2 days)	Conference of Competent Ministers to consider the draft Constitutive Act establishing the African Union	Addis Ababa	All Member States	15,000.00	

2. Acceleration of the Process of Implementing the AEC

(a) *Shortening of the periods of implementation :*

The Treaty establishing the African Economic Community provides for six stages of implementing the Treaty with a total cumulative period of 34 years. The first stage of 5 years involving the strengthening of Regional Economic Communities (RECs) and the creation of new ones ended in May 1999. The second stage of 8-year duration deals with the stabilization of tariff and non-tariff barriers as well as strengthening sectoral integration and harmonization of activities among the RECs. The third stage of 10-year duration is concerned with the establishment of a free trade area and the gradual removal of tariff and non-tariff barriers and the establishment of a customs union. The fourth stage of 2 years deals with the harmonization of tariff and non-tariff barriers and the establishment of a customs union with a common external tariff. The fifth stage of 4 years deals with the establishment of an African Common Market while the sixth stage of 5 years deals with consolidating the structures of the African Common Market with the establishment of all remaining institutions of the Community.

Considerable progress in trade liberalization has been recorded within the COMESA, SADC and ECOWAS regions. In the trade sector, the implementation is now within the third stage in these three regions, where the creation of a free trade area and the establishment of a common external tariff are to be achieved in 2004 at the latest. The progress achieved therefore has resulted in a *de facto* shortening of the period stated in the Treaty, for trade liberalisation. However, activities in other sectors, including sectoral integration, need to be speeded up.

The adoption of the Sirte Declaration was a clear demonstration of the commitment, and indeed determination, of OAU leaders to shorten the period of implementing the Treaty. Given that the establishment of the AEC is to take off on the basis of the existing RECs as pillars, it is important that the implications of the Declaration and the approaches to the shortening of the periods be discussed in a meeting of the Committee of Secretariat Officials established in the Protocol on Relations between the AEC and RECs so that an appropriate period of shortening the implementation of the Treaty can be proposed.

The meeting of this Committee will also deal with issues of programme coordination and rationalization with a view to avoiding duplication. The following activity schedule is proposed:

Date	Activity	Venue	Participation	Financial Implications US\$	Remarks
Nov. 1999 (5 Days)	Meeting of the Committee of Secretariat Officials under the Protocol on Relations Between AEC and RECs	Addis Ababa	All RECs, OAU, ADB & ECA	10,000.00	Available under Community Fund (1999/2000)

(b) Speedy establishment of all AEC Institutions:

The Abuja Treaty calls for the establishment of at least 7 institutions. Some of these institutions, like the Pan African Parliament, African Monetary Union and the African Central Bank (with a single African currency) are to be established in the final (6th) stage of the implementation of the Treaty. The Sirte Declaration, however, has brought forward the establishment of the critical institutions like the African Central Bank, the African Monetary Union, the Pan-African Parliament and the African Court of Justice.

(i) Pan-African Parliament

Regarding the Pan African Parliament, its establishment will require the drafting of a legal instrument and, consequently, the recruitment of a number of consultants to undertake the assignment. There will be need for a Legal Experts' Meeting, which should be coordinated with and preceded by a Consultative Forum of African Parliamentarians, in order to review the draft legal text, including the draft Protocol and other relevant documents. The Consultative Forum should be composed of 2 Parliamentarians from each country with the participation of Union of African Parliamentarians (UAP) and Regional Parliamentary Consultative Fora, where they exist.

Date	Activity	Venue	Participation	Financial Implications US\$	Remarks
Dec. 1999 – Feb. 2000	Preparation of draft legal instrument establishing Pan-African Parliament by consultants			(Included in the fees for preparation of Constitutive Act)	

April 2000 (3 days)	Convene a meeting of African Parliamentarians, two per country, with participation of UAP and Regional Parliamentary Consultative Fora, where they exist	Addis Ababa	All Member States	20,000.00	Only US\$ 10,000.00 is available under Community Fund
April 2000 (2 days)	Experts' Meeting on the draft Legal Instrument establishing the Pan-African Parliament	Addis Ababa	All Member States	15,000.00	
May 2000 (2 days)	Conference of Competent Ministers to consider the draft Legal Instrument Establishing the Pan-African Parliament	Addis Ababa	All Member States	15,000.00	

(ii) African Court of Justice

The drafting of the legal instrument for the establishment of the African Court of Justice will require recruitment of consultants for the purpose (or the use of the consultants dealing with the elaboration of the legal instrument establishing the Pan African Parliament), as well as the convening of a meeting of judges and judicial officials to prepare the text for consideration by Judges, Judicial Officers and other Legal Experts from the entire membership of the organization. The proposed activity schedule is as follows:

Date	Activity	Venue	Participation	Financial Implications US\$	Remarks
September 2000 (3 days)	Meeting of Judges, Judicial Officers and Other Legal Experts in Relation to the Establishment of the African Court of Justice	Addis Ababa	All Member States	20,000.00	



(iii) **African Central Bank**

The establishment of the African Central Bank (with a common African currency) will require that certain technical studies and consultations with the relevant partner institutions be undertaken with a view to recommending the approaches and modalities of bringing the Bank into existence, as a long-term objective.

(iv) **African Monetary Union**

The establishment of the African Monetary Union as a long-term objective will require certain technical studies and consultations with the relevant partner institutions with a view to defining the approaches and modalities to that end.

(c) ***Strengthening and Consolidating the RECs:***

Since the establishment of the AEC is to be based on the existing Regional Economic Communities (RECs) as pillars, priority during the first phase of 5 years was given to the strengthening of the RECs and establishing new ones in regions where none existed, in order for all Members of the OAU to belong to at least one REC. The first phase of the implementation of the AEC Treaty came to an end in May 1999. However, not all the RECs are at the same level of development or integration; but the justification for the creation of new RECs no longer exists because, as of now, all OAU Member States belong to at least one REC. However, despite the existence of 6 RECs (COMESA, ECCAS, ECOWAS, IGAD, SADC and UMA), the process of implementing the first stage has been slow.

At least one REC needs to be strengthened considerably, namely ECCAS, in the Central African region, which has not been functioning smoothly. The current efforts aimed at reviving and strengthening the activities of this REC need to be supported. There is also the case of UMA, in North Africa, in respect of which a working arrangement has not been established with the Secretariat of the AEC. Special needs-assessment missions will be organized to ECCAS and UMA with a view to contributing to strengthening them. The following activity schedule is proposed:

Date	Activity	Venue	Participation	Financial Implications US\$	Remarks
Jun.- Sept. 2000	Special Mission to ECCAS Consultation with UMA	Libreville (Gabon) Morocco	OAU/ECA/ ADB / UNDP -ditto-	10,000.00	Available under Community Fund (1999/2000)

3. Africa's External Debt

This item was addressed in the Algiers Summit, which renewed the call for the convening of an international conference on Africa's external debt problem. The Sirte Declaration has given a specific mandate to the Current Chairman and President Mbeki of South Africa to establish contact with Africa's creditor countries and institutions, with a view to securing total debt cancellation. It will be necessary to prepare the critical issues in this regard for the consideration of the two leaders. Accordingly, an inter-Secretariat meeting with the participation of the ADB, ECA, AERC and the Secretariat of the Association of the African Central Bank Governors will be convened to prepare the required document which will be considered by the Contact Group and a meeting of African Ministers of Finance. The following activity schedule is proposed:

Date	Activity	Venue	Participation	Financial Implications US\$	Remarks
November 1999 (2 days)	(i) Inter-Secretariat meeting – OAU, ECA, ADB and AERC	Addis Ababa	At least 5 Institutions	-	
February 2000 (3 days)	(ii) Meeting of the Contact Group (and the Ministers of Finance)	Addis Ababa	25 Member States (All Member States)	10,000.00	Available under Community Fund (1999 /2000)

4. The African Ministerial Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA)

The 35th Ordinary Session of the Assembly of Heads of State and Government declared the year 2000 as the Year of Peace, Security and Solidarity in Africa. This declaration enjoins African leaders and countries to re-dedicate themselves to effectively eliminate armed conflicts in Africa by the end of that year. This appeal has been strengthened by the Sirte Declaration, which calls for the convening of an African Ministerial Conference on Security, Stability, Development and Cooperation in the African Continent.

In order to address the specific security concerns of each region of the continent, it is envisaged that regional conferences to deliberate on such specific regional security concerns be held. The outcome of such meetings should enrich the deliberations of the CSSDCA at the Continental level.

The Steering Committee of the Conference which has been established by the Central Organ was mandated to undertake the following tasks :

- (a) to initiate preparations leading to the convening of the CSSDCA;
- (b) to mobilize support for launching the CSSDCA process; and
- (c) to examine legal, technical and institutional issues.

Date	Activity	Venue	Participation	Financial Implications US\$	Remarks
Nov. 1999 2 Days	1 st Meeting of the Steering Committee of the CSSDCA	*	Member States of the Steering Committee	5,000.00	
Dec. 1999 2 Days	2 nd Meeting of the Steering Committee of the CSSDCA	*	Member States of the Steering Committee	5,000.00	
Nov. 1999 – Jan. 2000 1 Day Each	5 Sub-Regional Preparatory Consultations for the CSSDCA	Central East North South West	Sub-regional Groupings, Steering Committee, OAU, ECA, UNDP	30,000.00	
March 2000 5 Days	Conference on Security, Stability Development and Cooperation in Africa	Abuja (Nigeria)	All Member States	35,000.00	

*To be determined following further consultations.

CONSOLIDATED ACTIVITY SCHEDULE

[TOTAL ESTIMATED EXPENDITURE: US\$675.000.00]

Date	Activity	Venue	Participation	Financial Implications US\$	Remarks
Nov. 1999 (5 Days)	Meeting of the Committee of Secretariat Officials under the Protocol on Relations Between AEC and RECs	Addis Ababa	All RECs, OAU, ADB and ECA	10,000.00	Available Under Community Fund (1999/2000)
November 1999 (2 days)	Inter-Secretariat meeting – OAU, ECA, ADB and AERC	Addis Ababa	At least 5 Institutions	-	
November 1999 (2 days)	1 st Meeting of the Steering Committee of the CSSDCA		Member States of the Steering Comm.	5,000.00	
December 1999 (2 days)	2 nd Meeting of the Steering Committee of the CSSDCA		Member States of the Steering Comm.	5,000.00	
November 1999 – January 2000 (1 day each)	5 Sub-Regional Preparatory Consultations for the CSSDCA	Central East North South West	Sub-regional Grouping Steering Comm. OAU ECA UNDP	30,000.00	
Dec. 1999 – Feb. 2000	Preparation of Draft Constitutive Act of the African Union and legal instrument on Pan-African Parliament by consultants			100,000.00 (25,000 x 4)	
Feb. 2000	Interim Report to Council				
February 2000 (3 days)	Meeting of the Contact Group (and the Ministers of Finance)	Addis Ababa	25/All Member States	10,000.00	Available under Community Fund (1999/2000)

March 2000 (5 days)	Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA)	Abuja	All Member States	35,000.00	
March 2000 (5 days)	Experts Meeting to formulate the draft Constitutive Act establishing the African Union	Addis Ababa	All Member States	35,000.00	
April 2000 (3 days)	Convene a meeting of African Parliamentarians, two per country, with participation of UAP and Regional Parliamentary Consultative Fora, where they exist.	Addis Ababa	All Member States	20,000.00	Only US\$10,000 is available under Community Fund (1998/1999)
April 2000 (2 days)	Experts' Meeting on the elaboration of the draft legal instrument establishing the Pan-African Parliament	Addis Ababa	All Member States	15,000.00	
May 2000 (4 days)	Conference of Competent Ministers to consider the draft Constitutive Act for the establishment of the African Union and the draft legal instrument establishing the Pan-African Parliament	Addis Ababa	All Member States	30,000.00	
June – September 2000	i) Special Mission to ECCAS ii) Consultation with UMA	Gabon Morocco	OAU ECA ADB UNDP -ditto-	10,000.00	Available under Community Fund (1999/2000)
June 2000	Report and submission of draft Constitutive Act of the African Union and the legal instrument establishing the Pan-African Parliament to Council and Summit	Lome, Togo	All Member States		
September 2000 (3 days)	Meeting of Judges, Judicial Officers and Other Legal Experts on the establishment of the African Court of Justice	Addis Ababa	All Member States	20,000.00	Available under Community Fund (1999/2000)
2001	Extraordinary Summit to adopt the Constitutive Act of the African Union	Sirte, Libya	All Member States	350,000.00	

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