

AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

UNIÃO AFRICANA

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EXECUTIVE COUNCIL
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EX.CL/Dec.192- 235 (VII)

DECISIONS

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**DECISION ON CHAIRPERSON'S PROGRESS REPORT ON THE IMPLEMENTATION
OF THE SOLEMN DECLARATION ON GENDER
EQUALITY IN AFRICA - Doc. EX.CL/170 (VII)**

The Executive Council:

1. **TAKES NOTE** of the Report;
2. **COMMENDS** the Chairperson of the Commission for the initiative undertaken to prepare a Draft Implementation Framework and Draft Monitoring and Reporting Guidelines, and for encouraging Member States to fulfil their commitments under operative paragraph 12 of the Solemn Declaration on Gender Equality in Africa;
3. **ALSO COMMENDS** the countries that have submitted their reports on progress made in gender mainstreaming and in championing issues raised in the Declaration, namely Egypt, Mali, Nigeria, South Africa, and the Sudan;
4. **APPEALS** to Member States to focus on strengthening their national gender machineries by:
 - Ensuring that responsibility for gender mainstreaming is vested in the highest level of government, with clearly defined mandates and authority;
 - Steadily increasing the annual budget allocation to national gender machineries to enable them to perform the various tasks of gender mainstreaming such as gender analysis, capacity building, tools development and monitoring;
 - Reviewing the expertise within national gender machineries with a view to endowing them with the capacity to integrate gender into economic policies and poverty reduction strategies;
 - Building the capacity of the Ministries of Finance and Planning as well as other relevant Ministries to ensure that their policies and activities incorporate a gender perspective;
 - Establish effective coordination mechanisms with clear lines of communication, roles, responsibilities and accountability for gender mainstreaming;
 - Encouraging gender machineries to work together with women organizations so as to bring concerns of all women on board and thus enhance the legitimacy and credibility of these national machineries.

5. **URGES** all Member States to submit their annual reports on progress made in terms of gender mainstreaming and in implementing the Solemn Declaration on Gender Equality in Africa to the Summit in July 2006;
6. **COMMENDS** the historical role played by the Pan African Women's Organization (PAWO) in the struggle for the decolonization of Africa;
7. **REITERATES** its request to the Chairperson of the Commission to undertake consultations aimed at revamping PAWO and submit a report to the Executive Council in January 2006.

DECISION ON THE STATUS OF OAU/AU TREATIES
DOC. EX.CL/172 (VII)

The Executive Council:

1. **TAKES NOTE** of the Report;
2. **COMMENDS** the Chairperson of the Commission for the initiatives and efforts aimed at encouraging Member States to become State Parties to the OAU/AU Treaties; and
3. **URGES** all Member States to prioritize and accelerate the signing and ratification/accession to OAU/AU Treaties;
4. **REQUESTS** the Commission to ensure that the texts of the treaties are harmonized in all the working languages and to expedite the process of review of OAU/AU Treaties, to enable Member States accelerate the process of ratification/accession to OAU/AU Treaties.

**DECISION ON THE PROGRESS REPORT ON THE
IMPLEMENTATION OF SIRTE DECLARATION ON
AGRICULTURE AND WATER – DOC.EX.CL/183 (VII)**

The Executive Council:

1. **TAKES NOTE** of the Report of the Commission on the progress report on the implementation of the Sirte Declaration on the Challenges of Implementing Integrated Sustainable Development in Agriculture and Water in Africa;
2. **COMMENDS** the Commission for the progress it has achieved so far in implementing the Declaration;
3. **REQUESTS** the Commission to integrate the Implementation of the Sirte Declaration on Agriculture and Water with the comprehensive African Agricultural Development Programme (CAADP);
4. **REQUESTS** the Commission to submit an integrated implementation Plan to the Sectoral Ministers for their consideration and to subsequently present the plan to the 9th Ordinary Session of Executive Council in July 2006.

**DECISION ON THE PROGRESS REPORT ON THE IMPLEMENTATION OF THE
PROJECT FOR THE CREATION OF A UNIFIED TELECOMMUNICATIONS
NUMBERING SPACE FOR AFRICA (ATNS)
DOC. EX.CL/174 (VII)**

The Executive Council

1. **TAKES NOTE** of the Report;
2. **APPROVES** the Project for the Creation of a Unified Telecommunications Numbering Space for Africa;
3. **APPEALS** to Member States and other African operators and service providers to adhere to the Project and participate actively in the feasibility study;
4. **ALSO APPEALS** to actors in the telecommunications sector in other regions of the world to support the African Telecommunications Numbering Space (ATNS) Project ;
5. **REQUESTS** the Commission and the Inter-Institutional Coordination Committee (IICC) to take all the necessary steps to conduct the feasibility study;
6. **REQUESTS FURTHER** the Commission to submit the conclusions of the feasibility study to the next meeting of African Ministers of telecommunications for consideration;
7. **REQUESTS FINALLY** the Commission to report on the issue at the next Ordinary Session of the Executive Council in January 2006.

DECISION ON THE STRATEGIC FRAMEWORK
FOR A MIGRATION POLICY IN AFRICA
DOC. EX.CL/176 (VII)

The Executive Council:

1. **TAKES NOTE** of the Strategic Framework for a Migration Policy in Africa;
2. **RECOGNISES** the need for further consultation involving the various Ministries dealing with migration matters;
3. **REQUESTS** Member States to submit comments/inputs to the Commission by 31st October 2005;
4. **ALSO REQUESTS**, the Commission to incorporate these inputs into the draft for finalization and submission to the next Ordinary Session of the Executive Council in January 2006.

**DECISION ON THE SITUATION OF REFUGEES,
RETURNEES AND DISPLACED PERSONS**
DOC.EX.CL/177 (VII)

The Executive Council:

1. **TAKES NOTE** of the Report;
2. **TAKES NOTE WITH SATISFACTION** of the work done by the PRC Sub-Committee on Refugees and **REQUESTS** it to continue implementing its Plan of Action;
3. **NOTES WITH APPRECIATION** the efforts exerted by the international community to assist Member States concerned to cope with their obligations towards victims of forced displacement by providing for their basic needs and also in facilitating organized voluntary repatriation, rehabilitation, reintegration and reconstruction in communities or countries of origin;
4. **NOTES** that gross and systematic violations of human rights and International Humanitarian Law are among the principal factors generating refugee flows in Africa;
5. **EXPRESSES ITS GRAVE CONCERN** over the persistence of the problem of refugees and internally displaced persons in Africa and the alarming deterioration of their protection and assistance situation, especially the most vulnerable groups such as women, children and the disabled;
6. **EXPRESSES GRATITUDE** to countries of asylum for their steadfast adherence to their obligations under the 1969 OAU Convention governing the specific aspects of Refugee Problems in Africa and the 1951 UN Convention and its 1967 Protocol relating to the Status of Refugees, through inter alia providing asylum to refugees and availing them, where possible, with socio-economic opportunities to regain their dignity;
7. **COMMENDS** Member States that continue to ensure that social and economic rights of refugees are respected in particular through innovative local integration initiatives such as the **Zambia Initiative** and **URGES** other Member States to consider implementing similar programmes to enhance self sufficiency among refugees;
8. **RECOGNIZES** however that despite the generous contributions provided by the international community, such assistance falls short of the needs of victims of forced displacement and therefore;
9. **URGES** Member States and Members of the revitalized AU Coordinating Committee on Assistance and Protection to Refugees and Internally Displaced Persons as well as other relevant organizations to consider

contributing to the AU Special Refugee Contingency Fund so as to enable the AU implement its humanitarian programmes;

10. **COMMENDS** the Commission and UNHCR for revitalizing the Coordinating Committee on Assistance and Protection to Refugees and Internally Displaced Persons consistent with relevant decisions of Council;
11. **CALLS UPON** the partners and donors to re-double their efforts to assist such people in Africa and to also honour their pledges made in various donor conferences;
12. **REQUESTS** the Commission to continue implementing its Work Programme in accordance with the various Decisions, Recommendations and Resolutions as well as the Comprehensive Implementation Plan (CIP) in collaboration with the UNHCR and other concerned AU partners and relevant organizations;
13. **INVITES** Member States to participate in the Ministerial Conference on Refugees scheduled to take place in Ouagadougou, Burkina Faso in mid-June 2006.

DECISION ON AFRICA-EUROPE DIALOGUE
DOC. EX.CL/178 (VII)

The Executive Council:

- 1. TAKES NOTE** of the Report ;
- 2. EXPRESSES ITS CONCERN** about the slow implementation of the Cairo Plan of Action and Declaration;
- 3. REQUESTS** the AU Troïka to take all necessary measures with the European Troïka to convene as soon as possible an Africa- Europe Summit in keeping with the spirit and letter of the Cairo Plan of Action.

**DRAFT DECISION ON THE MEETING OF AFRICAN MINISTERS
RESPONSIBLE FOR TRANSPORT AND INFRASTRUCTURE
ON TRANSPORT AND THE MDGS - DOC. EX.CL/182 (VII)**

The Executive Council:

1. **TAKES NOTE** of the report;
2. **COMMENDS** the African Ministers responsible for transport and infrastructure for their initiative in strengthening the strategy for the realisation of the MDGs in Africa through prioritisation of crucial transport infrastructure and services;
3. **ENDORSES** the Declaration of the African Ministers responsible for Transport and Infrastructure on Transport and the MDGs;
4. **FURTHER ENDORSES** the Matrix of Transport Targets and Indicators Related to the Achievement of the MDGs;
5. **REQUESTS** the Chairperson of the Commission to submit the Declaration of the Ministers responsible for Transport and Infrastructure and the Matrix of Transport and Targets as part of the African common position on the implementation of the MDGs to the UN MDG Review Conference of September 2005;
6. **FURTHER REQUESTS** the Commission to coordinate the elaboration of a plan of action for the realisation of the set transport targets;
7. **ALSO REQUESTS** the Chairperson of the Commission to submit a progress report on the implementation of this Decision to the next Ordinary Session of the Executive Council in January 2006.

**DECISION ON THE REPORT OF THE FIRST SESSION OF THE AFRICAN
MINISTERIAL CONFERENCE ON HOUSING AND URBAN
DEVELOPMENT (AMCHUD) – DOC.EX.CL/185 (VII)**

The Executive Council:

1. **TAKES NOTE** of the Report, and the Declaration and enhanced Framework implementation of Sustainable Urban Development in Africa;
2. **ENDORSES** the Report of the Conference and recommendations contained therein, and **COMMENDS** the Commission, the UN-HABITAT and the Government of the Republic of South Africa for their efforts in organizing the Conference and facilitating the establishment of AMCHUD;
3. **RECOGNIZES** the role of AMCHUD in promoting sustainable urban development in Africa, improving urban governance, upgrading slums, eradicating poverty, and promoting the role of cities as engines of socioeconomic transformation;
4. **URGES** all development partners, including UN-HABITAT and UNEP to provide necessary support and to cooperate with AMCHUD in its effort to address the challenges of rapid urbanization, especially the growth of slums, in Africa;
5. **CALLS UPON** Member States to provide sustained and adequate support to the African Ministerial Conference on Housing and Urban Development and to implement the outcomes of AMCHUD;
6. **REQUESTS** the Commission to provide the necessary support to AMCHUD in order to facilitate its endeavors to the promotion of improved living conditions in African cities and towns;
7. **FURTHER REQUESTS** the Commission to monitor the implementation of the outcome of the First Session of AMCHUD and report to the next Ordinary Session of the Executive Council in January 2006.

**DECISION ON THE THIRD ORDINARY SESSION OF THE LABOUR
AND SOCIAL AFFAIRS COMMISSION - DOC. EX.CL/186 (VII)**

The Executive Council:

1. **TAKES NOTE** of the Report;
2. **ENDORSES** the recommendations contained therein;
3. **COMMENDS** the Labour and Social Affairs Commission (LSAC) and the Arab Labour Organization (ALO) for their initiative in organizing the Second Afro-Arab Labour Congress which will, among others, strengthen Arab-African cooperation;
4. **REQUESTS** Member States to incorporate decent work as well as youth and women employment in the elaboration of the African common position on the mid-term review of the MDGs;
5. **FURTHER REQUESTS** the Commission to organize consultations with the RECs with a view to speeding up the implementation of the outcome of the 2004 Ouagadougou Extraordinary Summit on Employment and Poverty Alleviation in collaboration with the development partners;
6. **URGES** Member State to undertake national consultations among various social development sectors to provide comprehensive input into the Draft Social Policy Framework; and **REQUESTS** the Commission to organise an expert meeting to finalize the document before the Ordinary Session of Council in July 2006;
7. **WELCOMES** the establishment of an Advisory Council on Ageing to coordinate the implementation of the Policy Framework and Plan of Action on Ageing and **MANDATES** the Commission, in collaboration with HelpAge International (Africa Region), to work out the structure of the Advisory Council, including modalities and financial implications of its setting up;
8. **INVITES** African members of the ILO Governing Body to hold consultations to ensure that Africa is allocated additional seats in the group of non-elected members of the Governing Body and to base their choice on the criteria of rotation and availability of seats as well as active participation in the International Labour Conference and its committees;
9. **ALSO INVITES** Member States to adopt international standards on activities in the fishery sector;

10. **URGES** Member States to adopt and establish a sustainable infrastructure for safety and health in the work place in order to give priority to this issue in the national programme;
11. **FURTHER INVITES** Member States to cooperate with the ILO in its programme «Improve your Enterprise» within the framework of the promotion of enterprise development for youth;
12. **SUPPORTS** the recommendations of Member States of the Advisory Committee on Physical Education and Sports in Africa established by Maputo Decision EX/CL/Dec. 62(iii) on setting up a Ministerial Forum on Sports and Youth;
13. **ALSO REQUESTS** Member States to assist in the restructuring and revitalization of the Supreme Council for Sport in Africa (SCSA) and pay their contributions to enable it to implement its programmes in the sports sector;
14. **URGES** the Commission to revisit the mandate of the African Rehabilitation Institute (ARI) with a view to revitalizing it; and the Member States, which have not yet done so, to join ARI and pay up their contributions;
15. **FURTHER REQUESTS** AU Specialized Agencies to acquaint themselves with the budget cycle in Member States and **URGES** countries to include the contributions they owe to these Agencies in their budgets;
16. **CALLS ON** the Commission to strengthen its cooperation with the African Centre for Applied Research and Training in Social Development (ACARTSOD) and accord it the status of Specialized Agency;
17. **REQUESTS** the Commission to speed up the process of establishing AU Specialized Technical Committees, taking into account the proposals made for the structure of the LSAC as recommended during its Third Session in April 2005.

**DECISION ON THE REPORT OF THE 5TH GENERAL
ASSEMBLY OF THE AFRICAN POPULATION COMMISSION (APC)
DOC. EX.CL/187 (VII)**

The Executive Council:

1. **TAKES NOTE** of the Report;
2. **ENDORSES** the Report and the Revised Rules of Procedure of the APC and commends the restructuring of the APC's Secretariat;
3. **WELCOMES** the election of the New Bureau of the APC and supports its endeavor to promote population, reproductive health and development issues on the continent;
4. **REAFFIRMS** the role and mandate of the APC in coordinating, harmonizing and advocacy on population and development policies, strategies and programmes in Africa;
5. **FURTHER REAFFIRMS** the need for strengthening the Secretariat of the APC and **INVITES** partners such as the United Nations Fund for Population Activities (UNFPA), United Nations Economic Commission for Africa (UNECA), African Development Bank (ADB), United Nation Development Programme (UNDP), and International Planned Parenthood Federation – Africa Region (IPPPFA) to continue to provide support in the population and development field;
6. **REQUESTS** the Commission to coordinate and follow up on the work and activities of APC.

**DECISION ON THE THIRD ORDINARY SESSION OF THE
CONFERENCE OF AU MINISTERS OF TRADE - DOC. EX.CL/188 (VII)**

The Executive Council:

- 1. TAKES NOTE** of the Report;
- 2. COMMENDS** Egypt and all other Member States on the successful outcome of the Third Session of the AU Conference of Ministers of Trade held in Cairo, Arab Republic of Egypt, from 5 to 9 June, 2005;
- 3. ENDORSES** the recommendations contained in the Report;
- 4. ALSO ENDORSES** the Cairo Declaration and Road Map on the Doha Work Programme as well as the AU's Ministerial Declaration on EPA Negotiations;
- 5. RECOMMENDS** that the Assembly endorses the said Declarations and Road Map;
- 6. REQUESTS** the Commission to take the necessary measures and actions, in collaboration with Member States, the RECs and relevant institutions to implement the decisions contained in Doc. EX.CL/188(Vii) and report periodically to the Executive Council.

DECISION ON TRADE FACILITATION
DOC.EX.CL/188(VII)

The Executive Council:

1. **TAKES NOTE** of the Report;
2. **RECOGNISES** the importance of trade facilitation in increasing competitiveness as well as in raising the level of intra-African trade and the share of Africa in the global trade;
3. **CALLS UPON** Member States to set up consultative mechanisms between operators, Customs administrations and the national trade negotiators with a view to reaching consensus on national priorities, constraints and opportunities related to trade facilitation;
4. **RECOMMENDS** that Member States carry out studies on the level of trade facilitation and needs assessment in capacity building (including institutional and infrastructural capacity building) and technical assistance;
5. **REQUESTS** Regional Economic Communities (RECs) to set up regional experts groups to carry out in-depth studies on trade facilitation for the effective participation of Member States in the WTO negotiations and for the enhancement of their trade competitiveness;
6. **FURTHER RECOMMENDS** that RECs enhance their involvement in trade facilitation by carrying out stocktaking of all regional initiatives and develop guidelines of best practice for the benefit of all RECs;
7. **APPEALS** to Member States to develop appropriate negotiating positions with regard to obstacles preventing the entry of African exports into developed markets;
8. **URGES** Member States and RECs, under the coordination of the Commission, to agree on a firm common position on trade facilitation that will take into account the trade-off contained in the July 2004 Package, notably with regards to Technical Assistance and Capacity Building.

DECISION ON TRADE AND INVESTMENT IN AFRICA
DOC.EX.CL/188(VII)

The Executive Council:

1. **TAKES NOTE** of the Report;
2. **EXPRESSES** concern about the poor performance of Africa in attracting Foreign Direct Investment (FDI);
3. **WELCOMES** the third round of the Global System of Trade Preferences (GSTP) negotiations currently underway and **ENCOURAGES** African countries to engage actively in those negotiations;
4. **REQUESTS** Member States and the Commission to review the investment promotion strategies pursued by African countries in order to eliminate existing constraints to FDI inflows;
5. **CALLS ON** international organizations like UNCTAD to support African countries to review their investment policies and identify more focused and targeted investment promotion strategies;
6. **REQUESTS** the developed countries to introduce measures that will encourage Trans-national Corporations to increase investment in Africa to ensure that the market access opportunities granted to the continent result in attracting a steady flow of FDI;
7. **REQUESTS** Member States that are not yet members, to join the GSTP Agreement in order to benefit from South-South trade;
8. **ENDORSES** the Investment Climate Facility initiative of NEPAD.

**DECISION ON THE AFRICAN GROWTH AND
OPPORTUNITY ACT (AGOA III) - DOC. EX.CL/188 VII)**

The Executive Council:

1. **TAKES NOTE** of the Report;
2. **WELCOMES** the organization of the 4th AGOA Forum from 18 to 20 July, 2005 in Dakar, Senegal;
3. **CALLS** on eligible Member States to participate actively in this Forum;
4. **FURTHER CALLS ON** the United States of America to enhance its support to beneficiary Member States to develop their basic infrastructures and build productive capacities in order to increase competitiveness of their economies and meet the exigencies of AGOA;
5. **REQUESTS** the Commission and Member States to strategize for the adoption of a WTO waiver for AGOA.
6. **FURTHER REQUESTS** the Commission to work closely with AGOA-designated Hubs and collaborate with the RECs, the Union of African Chambers of Commerce, Industry, Agriculture and Professions and the United States Trade Representative (USTR) in order to develop a comprehensive regional work programme for the eligible countries; to that end, taking inspiration from the 4th AGOA Forum of Dakar, a capacity-building programme to assist countries to develop and diversify exports in order to enhance growth and competitiveness should be initiated.

**DECISION ON TICAD III AFRICA-ASIA FOLLOW-UP
CONFERENCE, TOKYO - DOC.EX.CL/188(VII)**

The Executive Council:

1. **TAKES NOTE** of the Report;
2. **EXPRESSES** appreciation for the role of Japan in enhancing Afro-Asian cooperation through the Tokyo International Conference on Africa's Development" (TICAD) process;
3. **WELCOMES** the Declaration of H.E. Mr. Junichiro Koizumi, Prime Minister of Japan to start the Internet website "TICAD-EXCHANGE" with 8 African countries as a first step and **CALLS ON** Japan to include the rest of the African countries in the programme by the end of 2006;
4. **WELCOMES** the invitation of the Japanese Government to host the Fourth TICAD Conference in 2008;
5. **CALLS FOR** the effective implementation of the Common Political Framework to enhance Trade and Investment between Africa and Asia signed between NEPAD and TICAD in Tokyo in 2004;
6. **CALLS ON** Member States, the Commission and TICAD to establish appropriate mechanisms for the promotion of South-South triangular cooperation, particularly, technology transfer;
7. **REQUESTS** the Commission to implement, in cooperation with relevant partners, the initiative of Japan's Prime Minister on the enhancement of Afro-Asian cooperation as announced during the Afro-Asian Trade and Investment Conference (AATIC) in Tokyo in 2004;
8. **MANDATES** the Commission to coordinate and harmonise the different initiatives under the TICAD process, and identify the sources of funding and the local and regional African institutions to implement them.

DECISION ON THE MEETING OF AFRICAN MINISTERS
RESPONSIBLE FOR AIR TRANSPORT
DOC. EX.CL/189 (VII)

The Executive Council:

1. **TAKES NOTE** of the report;
2. **COMMENDS** the Ministers responsible for air transport for their objective assessment of the air transport sector in Africa and adopting a comprehensive plan of action to bring about significant change to the sector with a view to enhancing its contribution to the socio-economic development of Africa;
3. **ENDORSES** the Resolution of the Ministers responsible for air transport on the Follow-Up of the Implementation of the Yamoussoukro Decision;
4. **URGES** Member States to meet their financial obligations by urgently paying their full contributions for 2005 as well as the arrears in order to sustain the African Civil Aviation Commission (AFCAC) and enhance its autonomy;
5. **REQUESTS** the Commission, in collaboration with United Nations Economic Commission for Africa (UNECA), African Civil Aviation Commission AFCAC, African Airlines Association (AFRAA) and the RECs to prepare a Common African External Air Transport Policy;
6. **FURTHER REQUESTS** the Chairperson of the Commission to submit periodic reports on the implementation of this decision to the next session of the Executive Council.

**DECISION ON THE REPORT OF THE CONFERENCE OF MINISTERS
OF EDUCATION OF THE AFRICAN UNION (COMEDAF II)
DOC. EX.CL/190 (VII)**

The Executive Council:

- 1. TAKES NOTE** of the Report;
- 2. ENDORSES** the recommendations contained in the said report;
- 3. EMPHASIZES** the importance of education and human resources development for engendering an integrated, peaceful and prosperous Africa;
- 4. COMMENDS** Member States and RECs for the initiatives they have taken towards improving quality, relevance and access in education during the first Decade of Education for Africa (1997-2006);
- 5. RECOGNIZES** the need for enhanced efforts at national and regional levels in order to achieve quality education for all by 2015;
- 6. CALLS UPON** Member States and RECs to collaborate with the Commission in evaluating the impact of the first Decade of Education for Africa;
- 7. REQUESTS** the Commission to convene an Extraordinary Conference of Ministers of Education in November 2005, to consider proposals on the Second Decade of Education for Africa, including the Plan of action for the new Decade, and report to Council and the Assembly on the results of the Extraordinary Session for final decision.

DECISION ON THE MIDDLE EAST AND PALESTINE
DOC.EX.CL/196 (VII)

The Executive Council:

1. **RECALLS** all relevant resolutions and decisions adopted by the OAU/AU on the situation in the Middle East and Palestine;
2. **REITERATES** its continued full support and solidarity to the Palestinian people in their just and legitimate struggle, under the leadership of PLO, their sole and legitimate representative in the exercise of their inalienable national rights, including their right to self-determination, to return and the establishment of an independent state on their national soil, with East Jerusalem as its capital, in accordance with the principles of international law and other pertinent resolutions of the OAU/AU and UN;
3. **REAFFIRMS** its firm support for an internationally promoted solution to the Israeli-Palestinian conflict based on the relevant United Nations Security Council Resolutions, the Arab Peace initiative and the Road Map which remains the only viable plan for lasting, just, and comprehensive peace in the region to bring an end to the occupation that began in 1967 with the achievement of the vision of two States, Israel and an independent, sovereign and territorially contiguous Palestine, living side by side, in peace and security;
4. **WELCOMES** the understanding between the Palestinian and Israeli sides in Sharm al-Sheik (Egypt), aimed at the cessation of violence between both sides as a first important step towards the implementation of the Road Map and **Urges** the concerned parties to implement their commitments in order to create the necessary conditions to resume negotiations, including the withdrawal of Israeli forces to September 2000 positions and the release of prisoners;
5. **FURTHER WELCOMES** the practical and courageous steps that have been taken by the Palestinian leadership, especially the holding of democratic municipal elections, the reform and streamlining of Palestinian security forces, and the conduct of a national dialogue with Palestinian factions;
6. **CALLS UPON** both sides to stop the vicious cycle of violence against the Palestinian and Israeli civilians, in accordance with all commitments and peace initiatives, especially the Roadmap for Palestine Sovereign Independence and the recent Sharm Al Sheik understandings;
7. **STRONGLY CONDEMNS** the Israeli repressive measures perpetrated against defenseless Palestinian civilians, including arrests and detentions, the widespread and arbitrary destruction of property and infrastructure,

and official and public institutions, as well as the severe restrictions which has had a devastating impact on the Palestinian society and economy;

8. **URGES** the government of Israel to cease these excessive and indiscriminate retaliatory actions;
9. **CALLS UPON** the Government of Israel to put an end to the construction of the Wall in the Occupied Palestinian Territory including East Jerusalem, which constitutes a breach by Israel of legal obligations under international law, including International Humanitarian Law, and **URGES** compliance with the 9 July 2004 Advisory Opinion of the International Court of Justice and General Assembly resolution ES-10/15 of 20 July 2004;
10. **URGES** Israel to drop its policy of imposing dictates and creating facts on the ground by immediately putting an end to the establishment and expansion of settlements in the occupied Palestinian territory, including East Jerusalem;
11. **STRONGLY CONDEMNS** all Israeli modifications and illegal measures aimed at altering the status of the Occupied East Jerusalem, including Israeli destruction of Jerusalemite houses, the threats of Israeli extremists to storm Al-Aqsa Mosque and Israel's continuous construction of the Wall and expansion of settlements in and around East Jerusalem, including the illegal West Bank settlement of "Ma' ale Adumim" that will severely undermine the efforts for the establishment of the future State of Palestine, with East Jerusalem as its capital;
12. **APPEALS** to the International Community and the Quartet to provide necessary political and financial support and to work with the Palestinian Leadership for the early and accelerated implementation of the Roadmap and to undertake necessary measures to reinvigorate dialogue and negotiations, in order to salvage the peace process;
13. **CALLS UPON** the Government of Israel, to put an end to its occupation of the Syrian Golan Heights and Lebanese Shabaa Farms occupied in 1967, in accordance with the UN Security Council relevant resolutions including Resolutions 242 and 338, the Madrid Declaration, the principle of land for peace, the Arab Peace initiative and the Road Map in order to reach a just, comprehensive and peaceful solution of the Arab Israeli conflict;
14. **TAKES NOTE** of the initial efforts deployed by the Committee of 10 Member States on Palestine established by Decision HG/Dec.182 (XXXVIII), in July 2002, and **URGES** continued efforts in the quest for a peaceful and acceptable solution to the conflict in the Middle East and Palestine;

15. **URGES** the Commission to maintain contact with the Israelis and the Palestinians, and to continue to support on-going efforts so that the objective of peace and development can be achieved for the well being of their people.

**DECISION ON THE MINISTERIAL MEETING ON FREE
MOVEMENT IN AFRICA - DOC. EX.CL/197 (VII)**

The Executive Council:

1. **TAKES NOTE** of the Report;
2. **FURTHER TAKES NOTE** of the resolutions contained therein;
3. **CALLS UPON** Member States to facilitate and pursue free movement in Africa gradually in accordance with Article 43 of the Treaty establishing the African Economic Community (Abuja Treaty) considering the interdependence of social, economic, security and human rights dimensions of the movement of persons within the African Union;
4. **URGES** Member States to ensure that the process of facilitating free movement be implemented at bilateral, sub-regional, and regional levels, from which an Africa wide framework would be developed;
5. **ACCEPTS** the concept of an African Passport in principle and **RECOMMENDS** that further consultations be carried out at national, sub-regional, regional and continental levels to address all pertinent issues including constitutional, legal, social, economic, security and human rights aspects;
6. **ALSO ACCEPTS** in principle the proposal for the issuance of an African Diplomatic Passport, and **RECOMMENDS** that consultations be undertaken before its issuance;
7. **REQUESTS** the Commission in consultation with Member States to:
 - a) consider establishing a committee of experts from Member States, charged with providing guidance to the Commission on matters relating to free movement of persons to carry the process forward.
 - b) establish a specialized office to follow-up on the implementation of activities related to free movement in Africa.
 - c) convene a forum for African Officials at sub-regional, regional and continental level to consult and recommend on issues of common concern such as the harmonization of relevant laws, policies and regulations as well as assess the structures that would facilitate free movement in Africa.
 - d) proceed with necessary follow-up actions to ensure implementation of this decision and report to the next Ordinary Session of Council in January 2006.

**DECISION ON THE REPORT ON THE NEW
AFRICA-ASIA STRATEGIC PARTNERSHIP
DOC.EX.CL/198(VII)**

The Executive Council:

1. **TAKES NOTE** of the report;
2. **COMMENDS** the initiatives taken by the Commission, in accordance with the mandate assigned to it by the 4th Ordinary Session of the Assembly;
3. **FURTHER COMMENDS** the preparation and organization by the Commission, in conjunction with the co-chair, of the Africa-Asia Ministerial Session and Summit in Jakarta, Indonesia on 20, 22 – 23 April 2005 respectively and the adoption of the conclusions that emerged from them;
4. **REITERATES** its commitment for a new and mutually advantageous partnership with Asian countries;
5. **ALSO COMMENDS** the successful celebration of the golden Jubilee of the 1955 Bandung Conference;
6. **RENEWS** its attachment to the spirit and principles of Bandung as foundation for the strategic partnership between Africa and Asia;
7. **ACKNOWLEDGES**, and commends the important role played by South Africa in relaunching dialogue between Africa and Asia;
8. **REITERATES** the leadership role of the African Union, through its competent organs in the steering and coordination on the African side, of the Africa-Asia strategic partnership;
9. **STRESSES** the need to coordinate and strengthen mechanisms already in place and to continually engage in effective dialogue that will consolidate and strengthen the partnership between Africa and Asia.
10. **REQUESTS** in this regard that together with the Permanent Representatives Committee through its Sub-Committee on Multilateral Cooperation, the consultations initiated between the South Africa Co-Chair and the Commission, with a view to promoting the leadership of the African Union in this process and to defining the practical modalities of implementing the new Africa-Asia strategic partnership, be continued.

**DECISION ON THE VENUE OF THE TWENTY FIFTH
FRANCE-AFRICA SUMMIT – DOC. EX.CL/205 (VII) Add.1**

The Executive Council:

1. **TAKES NOTE** of the offer by the Arab Republic of Egypt to host the Twenty-fifth Session of France-Africa Summit in 2009;
2. **RECOGNIZES** the importance of cooperation between the African Continent and France, especially at a time when Africa is initiating a new era of integration in which it welcomes intensive dialogue on various issues of development with its major cooperating partners such as France;
8. **EXPRESSES ITS DEEP SATISFACTION** at the current level of cooperation between the two parties since the inception of the process in 1973;
9. **REQUESTS** the Chairperson of the Commission to follow up the issue with the concerned parties, and to submit a report to the next Ordinary Session of the Executive Council in January 2006.

**DECISION ON THE ESTABLISHMENT OF THE AFRICAN CENTRE
FOR INFECTIOUS, ENDEMIC DISEASES AND HIV/AIDS**
DOC. EX.CL.205 (VII) Add.2

The Executive Council:

1. **TAKES NOTE** of the offer by H.E. President Hosni Mubarak of Egypt to establish the African Centre for Infectious, Endemic and HIV/AIDS Diseases in Cairo, as a Centre of Excellence that links Ministries of Health in African States in order to render support to the preventive and therapeutic services, to contribute to upgrading the skills of health sector workers, and to help control the spread of communicable and endemic diseases in Africa;;
2. **ACKNOWLEDGES** the serious challenges posed by infectious, endemic diseases and HIV/AIDS in Africa, and their negative impact on the socio-economic development the development on the Continent;
3. **RECOGNIZES** of the need to upgrade training programmes aimed at enhancing healthcare and utilize African potentials to curbing these diseases;
4. **REQUESTS** the Fifth Ordinary Session of the Assembly to mandate the Conference of African Ministers of Health to study the implementation framework and the strategic plan of the Centre during its Second Ordinary Session scheduled in Gaborone, Botswana, from 10 to 14 October 2005 and to present their recommendations in this regard to the Sixth Ordinary Session of the Assembly;
5. **REQUESTS** the Chairperson of the Commission to study the matter and report to the next Ordinary Session of the Executive Council in January 2006

**DECISION ON THE ESTABLISHMENT OF THE
PAN-AFRICAN TELEVISION CHANNEL – DOC.205 (VII) Add.3**

The Executive Council:

1. **TAKES NOTE** of the proposal by Egypt to host the Terrestrial Broadcasting Centre of this Channel, and her readiness to provide the technical facilities necessary for the functioning of the Centre and to make use of her satellite capabilities;
2. **COGNIZANT** of the importance of socio-cultural assimilation in Africa as an element of stability;
3. **MINDFUL** of the significant role the Media play in enhancing public awareness, particularly in the field of healthcare and protection against communicable diseases;
4. **ACKNOWLEDGING** the call made by His Excellency Maître Abdoulaye Wade, President of the Republic of Senegal, and the Chairperson of the Commission to establish a Pan-African Television Channel that expresses the common aspirations of African peoples;
5. **ENCOURAGES** Member States to establish a panel of experts to study the technicalities of the implementation of this project, and to show similar readiness to contribute, with their varying technical capabilities, to its success;
6. **REQUESTS** the Fifth Ordinary Session of the Assembly to mandate the African Ministers for Media and Information to discuss the relevant substantive, technical and financial issues, and to present their recommendations in this regard to the Sixth Ordinary Summit;
7. **TAKES NOTE OF** Egypt's offer to host the proposed meeting of African Ministers for Media and Information;
8. **REQUESTS** the Chairperson of the Commission to study the matter and report to the Session of the Executive Council in July 2006.

**DECISION ON THE OFFER OF THE ARAB REPUBLIC OF EGYPT
TO HOST THE HEADQUARTERS OF THE AFRICAN COUNCIL OF
SCIENTIFIC RESEARCH AND TECHNOLOGY- DOC.EX.CL/205 (VII) Add.4**

The Executive Council:

1. **TAKES NOTE** of the offer by Egypt to host the Headquarters of an African Council of Scientific Research and Technology;
2. **STRESSES** the need for the promotion of scientific research and technology as a means to achieve the Continent's development plans, objectives, and aspirations;
3. **TAKES NOTE** of the recommendation of the First African Congress for Scientific Research, Technology and Drug Industry which was held in Cairo 13 – 15 December 2004 on establishing the African Council of Scientific Research and Technology;
4. **RECALLS** the main objective of the Council as the promotion of Scientific research related to the needs of the African Continent and to establish a database for the Scientific Institutes and Research Centres through gathering of Scientists and Researchers from all over Africa;
5. **REQUESTS** the Chairperson of the Commission to study the matter, taking into account the existing structures and to submit a report to the Ordinary Session of the Executive Council in July 2006.

DECISION ON THE ADJUSTED STRUCTURE OF THE COMMISSION
DOC. EX.CL/175 (VII)-c

The Executive Council:

1. **TAKES NOTE** of the report;
2. **APPROVES** Part A of the report relating to the adjustment to the structure within departments that have no additional financial implications and within the approved US\$63 million budget for 2005;
3. **DECIDES THAT:**
 - a) the adjusted structure without additional financial implications and within the approved US\$63 million budget for 2005 will take effect immediately;
 - b) Part B of the report which requires additional financial resources be considered during the Extraordinary Session of Council in November 2005.
4. **REQUESTS** the Chairperson of the Commission to accelerate the recruitment and evaluation processes with a view to strengthening the human capacities of the Commission in implementing its programmes;
5. **FURTHER REQUESTS** the Chairperson of the Commission to submit a report on the implementation of the Adjusted Maputo Structure to the Executive Council at its next Extraordinary Session scheduled in November 2005.

**DECISION ON ADMINISTRATIVE, BUDGETARY
AND FINANCIAL MATTERS – DOC.EX.CL/175 (VII)-a**

The Executive Council:

1. **TAKES NOTE** of the Report;
2. **REQUESTS** the Chairperson of the Commission to ensure strict observance of and compliance with the Financial Rules and Regulations and to timely submit the audited financial reports to the Advisory Sub-Committee on Administrative, Budgetary and Financial Matters, for consideration;
3. **FURTHER REQUESTS** the Chairperson of the Commission to design implement an effective system for recovery of outstanding monies from staff and other debtors, and in future where possible the Commission should demand guarantees from suppliers of goods and services;
4. **URGES** the Chairperson of the Commission to:
 - implement without delay the recommendations of Ernst & Young;
 - provide Member States with the cost implications of these recommendations; and
 - institute a tracking mechanism and report regularly on progress made in implementing the Ernst & Young recommendation to the Advisory Sub-Committee on Administrative, Budgetary and Financial Matters;
5. **ALSO URGES** the Chairperson of the Commission to design and implement a Financial Management System that would avert fruitless expenditure;
6. **FRUTHER REQUESTS** the Chairperson of the Commission to strengthen the capacity within the Programming, Budgeting, Finance and Accounting Directorate, and ensure timely and improved presentation of financial reports in line with international standards;
7. **CALLS UPON** the Bureau of the Sub-Committee on Administrative, Budgetary and Financial Matters to liaise on a regular basis with the Commission on the challenges being faced by the Commission in implementing the above recommendations.

DECISION ON CONTRIBUTIONS – DOC.EX.CL/175 (VII)-b**The Executive Council:**

1. **TAKES NOTE** of the report;
2. **COMMENDS** the following Member States which are up to date with the payment of their assessed contributions: Algeria, Angola, Botswana, Comoros, Ethiopia, Libya, Namibia, Rwanda, SADR, Swaziland, Senegal and South Africa and **ENCOURAGES** other Member States to pay their assessed contributions in full and on time;
3. **COMMENDS** the Federal Democratic Republic of Ethiopia for its voluntary contribution to the Solidarity Budget and **URGES** other Member States to follow suit;
4. **URGES** the Chairperson of the Commission to ensure transparency and judicious utilization of the funds availed to the Commission;
5. **REQUESTS** the Chairperson of the Commission to secure alternative sources of financing the Commission's programmes;
6. **INVITES** the Pan-African Parliament to sensitize national parliaments regarding the need for Member States to support the work of the Commission;
7. **MAINTAINS** the sanctions on the following Member States: Central African Republic, the Democratic Republic of Congo, Guinea Bissau, Liberia, Sao Tome and Principe, Seychelles and Somalia;
8. **DECIDES** to place under sanctions the following Member States in accordance with Resolution CM/Res.1279 (LII) of July 1990: Eritrea and Niger, with effect from July 2005;
9. **ALSO DECIDES** to maintain the temporary exemption granted to Sierra Leone;
10. **TAKES NOTE** of the statement from Eritrea and Niger that they are committed to pay off their contributions and that payment in their regard is being processed;
11. **FURTHER TAKES NOTE** of the statement of Egypt and Zambia that payment of their contributions has been made but is yet to be credited in the account of the AU;

12. **ADVICES** Somalia to submit to the Commission its request to be exempted from sanctions due to their special circumstances, for consideration by the relevant AU Organs.

**DECISION ON THE 18TH ANNUAL ACTIVITY REPORT OF THE
AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS (ACHPR)
DOC. EX.CL/199 (VII)**

The Executive Council recommends to the Assembly to:

1. **ADOPT** the 18th Annual Activity Report of the African Commission on Human and Peoples' Rights;
2. **COMMEND** the African Commission on Human and Peoples' Rights for the work accomplished and **URGE** it to keep it up;
3. **AUTHORIZE** the publication of this Report as well as its annexures in accordance with the provisions of Article 59 of the African Charter on Human and Peoples' Rights;
4. **REQUEST** the African Commission on Human and Peoples' Rights to pursue and complete as soon as possible, the brainstorming on the relations with the various organs and institutions of the African Union in accordance with Decision Assembly/AU/Dec.7 (II);
5. **REQUEST** the African Union Commission to avail to the African Commission on Human and Peoples' Rights adequate resources to enable it effectively discharge its mandate;
6. **URGE** Member States, which have not yet done so, to submit their periodic reports in conformity with Article 62 of the African Charter on Human and Peoples' Rights.

DECISION ON THE DEFINITION OF
THE AFRICAN DIASPORA
DOC. EX.CL/164 (VII)

The Executive Council:

1. **TAKES NOTE** of the Report of the Experts Meeting and the Permanent Representative Committee on the Definition of the African Diaspora;
2. **ADOPTS** the following definition of the African Diaspora:

"The African Diaspora consists of peoples of African origin living outside the continent, irrespective of their citizenship and nationality and who are willing to contribute to the development of the continent and the building of the African Union";
3. **REQUESTS** the Commission to take necessary steps to facilitate the participation of the Diaspora in the building of the African Union in general and the Economic, Social and Cultural Council (ECOSOCC) in particular.

DECISION ON THE HOSTING OF UNCTAD XII

The Executive Council:

1. **WELCOMES** the decision of UNCTAD XI to award the hosting of the Twelfth Session of the Conference scheduled for 2008 to Africa thus recognizing the special attention that needs to be paid to Africa's trade and development;
2. **COMMENDS** the spirit of fraternity, solidarity and fair distribution demonstrated by the competing countries, in particular Tunisia, to secure the hosting of UNCTAD XII in Africa;
3. **ALSO COMMENDS** the Republic of Ghana on its successful bid to host the Conference;
4. **MANDATES** the Commission to work closely with the Republic of Ghana to ensure the success of the Conference;
5. **CALLS ON** all Member States to participate actively and contribute effectively to the outcome of UNCTAD XII.

DECISION ON THE SCALE OF ASSESSMENT
DOC. EX.CL/192 (VII)

The Executive Council:

1. **TAKES NOTE** of the report of the *Ad Hoc* Ministerial Committee on the Scale of Assessment;
2. **APPROVES** the new Scale of Assessment as proposed based on the principle of Capacity to Pay of Member States with the ceiling of 15% and without a floor rate, as contained in the attached Report EX.CL/192 (VII);
3. **DECIDES** that the adopted Scale of Assessment shall be effective from 1st January 2006;
4. **URGES** the Commission to enforce a strict sanctions regime to ensure prompt full payment of contributions;
5. **FURTHER URGES** the Commission to practice prudent financial management and control of its budgetary and financial affairs;
6. **DECIDES** that the Scale of Assessment shall be reviewed every three (3) years;
7. **RECOMMENDS** the Scale of Assessment to the 5th Ordinary Session of the Assembly for adoption;

**DECISION ON THE APPOINTMENT OF MEMBERS OF
THE BOARD OF EXTERNAL AUDITORS**

The Executive Council:

- 1. TAKES NOTE** of the nominations submitted by the Regional Deans following consultations within their respective regions;
- 2. DECIDES** to appoint the following Member States to serve on the Board of External Auditors for the Financial Year 2005;

Central Region:

1. Burundi
2. Equatorial Guinea

Eastern Regions

1. Ethiopia
2. Madagascar
3. Rwanda (Alternate)

Northern Region

1. Mauritania

Southern Region

1. Malawi
2. Zambia

Western Region

1. Benin
2. Burkina Faso
3. Cote d'Ivoire
4. The Gambia (Alternate)

**DECISION ON THE REPORT OF THE CHAIRPERSON OF THE
COMMISSION ON CONFLICT SITUATIONS IN AFRICA -
DOC. EX.CL/191 (VII)**

The Executive Council:

1. **WELCOMES** the significant progress made in the resolution of the crisis and conflict situations in the continent, notably in Burundi, the Central African Republic (CAR), the Comoros, the Democratic Republic of Congo (DRC), Cote d'Ivoire, Guinea Bissau, Liberia, Somalia and the Sudan;
2. **STRESSES** the need for continued efforts at all levels to consolidate these gains and to ensure their sustainability, as well as to overcome the difficulties being encountered in some of the conflict areas;
3. **STRESSES** to all parties to the crises and conflicts in the Continent that effective and sustainable solutions can only be achieved through negotiations, based on a spirit of justice, compromise and mutual accommodation. And **SOLEMNLY APPEALS** to the parties concerned to demonstrate a spirit of compromise and genuine commitment to peace, in order to bring to a definitive end the conflicts in which they are involved, including through the effective implementation of peace agreements once they have been concluded;
4. **COMMENDS** all those who contribute to the search for lasting solutions to the crises and conflicts raging in the Continent, including the Chairperson of the AU, the Chairperson of the Commission, individual leaders, the Regional Economic Communities (RECs) and the civil society organizations, and **ENCOURAGES** them to remain engaged in the efforts to promote lasting peace and stability in Africa;
5. **FURTHER COMMENDS** the Peace and Security Council (PSC) for its role and **URGES** it to vigorously continue to discharge its mandate, in particular, by actively engaging in the timely prevention of crises and conflicts in the Continent. Council **STRESSES** the need for the effective operationalization of the various segments of the African peace and security architecture, including the Continental Early Warning System (CEWS), the Panel of the Wise and the African Standby Force (ASF) as well as the finalization of the Memorandum of Understanding (MoU) between the AU and the RECs, which will enhance the exchange of information and the coordination of activities between the AU and the RECs;
6. **STRESSES** the need for peace agreements to be effectively complemented by sustained efforts towards post-conflict reconstruction and peace-building, with a view to addressing the root causes underlying their outbreak. In this respect, Council **URGES** the Commission to

develop an AU Policy on Post-Conflict Reconstruction, based on the relevant provisions of the PSC Protocol and the experience gained so far in the Continent;

7. **COMMENDS** Africa's bilateral and multilateral partners for their support and **URGES** them to continue to provide the necessary support to the efforts being deployed towards the promotion of peace and security on the Continent.

DECISION ON THE MODALITIES FOR THE FUNCTIONING OF THE
CENTRE FOR THE RESEARCH AND STUDY OF TERRORISM
Doc.EX.CL/195(VII)

The Executive Council:

1. **TAKES NOTE** of the report and recommendations of the Meeting of the PRC and Legal Experts on Legal Matters;
2. **DECIDES** to adopt the Modalities for the Functioning of the Centre for the Research and Study on Terrorism as contained in Document EX.CL/195 (VII) Annex VI.

**DECISION ON THE PROTOCOL ON RELATIONS BETWEEN
THE AU AND THE RECS - DOC. EX.CL/195(VII)**

The Executive Council:

1. **TAKES NOTE** of the Report of the Meeting of PRC and Legal Experts on Legal Matters and the recommendations contained therein;
2. **REQUESTS** the Commission to finalize the study on the rationalization of the RECs as soon as possible so as to speed up the finalization of the Protocol on Relations between the AU and the RECs;
3. **FURTHER REQUESTS** the Commission to report to the Eighth Ordinary Session of the Executive Council in January 2006 on the progress made in this regard.

**DECISION ON THE PROPOSED AMENDMENTS TO THE RULES OF
PROCEDURE OF THE PRC, THE EXECUTIVE COUNCIL, AND THE
ASSEMBLY AND THE STATUTES OF THE COMMISSION**
DOC. EX.CL/195(VII)

The Executive Council:

1. **TAKES NOTE** of the Report of the Meeting of the PRC and Legal Experts on Legal Matters and the recommendations contained therein;
2. **REQUESTS** the PRC to further review the Rules of Procedure of the Assembly, the Executive Council and the PRC as well as the Statutes of the Commission in order to ensure that there are no inconsistencies within the Rules or with other legal instruments.
3. **FURTHER REQUESTS** the PRC to submit its proposals to the Eighth Ordinary Session of the Executive Council scheduled in January 2006 for consideration.

DECISION ON THE CRITERIA FOR HOSTING AU ORGANS
DOC. EX.CL/195(VII)

The Executive Council:

1. **TAKES NOTE** of the Report of the Meeting of PRC and Legal Experts on Legal Matters and the recommendations contained therein;
2. **DECIDES** to adopt the Criteria for Hosting AU Organs as contained in Document EX.CL/195 (VII) Annex IV;
3. **URGES** the Regions, to undertake as soon as possible, the necessary consultations to submit the names of the Member States which will host the Headquarters of the Organs allocated to the respective regions.

**DECISION ON THE CRITERIA FOR GRANTING OBSERVER
STATUS AND A SYSTEM OF ACCREDITATION WITHIN THE AU**
Doc. EX.CL/195(VII)

The Executive Council:

1. **TAKES NOTE** of the Report of the Meeting of the PRC and Legal experts on Legal Matters and the recommendations contained therein;
2. **WELCOMES** the accreditation of some non-African States to the Unio;
3. **DECIDES** to adopt the Criteria for Granting Observer Status and a System of Accreditation within the AU as contained in Document EX.CL/195 (VII) Annex V;
4. **AUTHORISES** the Chairperson of the AU Commission to implement the said Criteria..

**DECISION ON THE ELECTION OF MEMBERS OF THE
AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS**
Doc. EX.CL/ 201 (VII)

The Executive Council:

1. **TAKES NOTE** of the Report of the Commission on the election for the vacant posts for the African Commission on Human and Peoples' Rights:
2. **ELECTS** the following members of the African Commission on Human and Peoples' Rights:
 - a) Mrs. Reine ALAPINI – GANSOU (Benin);
 - b) Mr. Musa Ngary BITAYE (The Gambia);
 - c) Adv. Faith Pansy TLAKULA (Ms.) (South Africa); and
 - d) Mr. Mumba MALILA (Zambia).
3. **RECOMMENDS** the elected members of the African Commission on Human and People's Rights to the Assembly for appointment.

DECISION ON THE ELECTION OF MEMBERS OF THE
AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS
AND WELFARE OF THE CHILD
Doc. EX.CL/202 (VII)

The Executive Council:

1. **TAKES NOTE** of the Report of the Commission on the election for the vacant posts for the African Committee of Experts on the Rights and Welfare of the Child;
2. **ELECTS** the following members of the African Committee of Experts on the Rights and Welfare of the Child:
 - a) Ms. Seynabou Ndiaye DIAKHATE (Senegal);
 - b) Mrs. Koffi Appoh Marie-Chantal (Côte d'Ivoire);
 - c) Hon. Lady Justice Martha Koome (Kenya);
 - d) Mrs. Mamosebi T. PHOLO (Lesotho);
 - e) Ms. Boipelo Lucia SEITLHANO (Botswana); and
 - f) Mr. Moussa SISSOKO (Mali).
3. **RECOMMENDS** the elected members of the African Committee of Experts on the Rights and Welfare of the Child to the Assembly for appointment.

DECISION ON THE AFRICAN COMMITTEE OF EXPERTS
ON THE RIGHTS AND WELFARE OF THE CHILD
DOC. EX.CL/200 (VII)

The Executive Council:

1. **TAKES NOTE** of the Report of the African Committee of Experts on the Rights and Welfare of the Child;
2. **COMMENDS** the Committee for the advocacy role it has played so far in popularizing the African Charter on the Rights and Welfare of the Child;
3. **EXPRESSES** concern about the plight of children especially in conflict areas in Africa;
4. **APPEALS** to Member States, which have not yet done so, to ratify the African Charter on the Rights and Welfare of the Child as a matter of priority;
5. **URGES** Member States to invest in children, include matters relating to them in national policies and programmes as well as provide the most vulnerable and excluded children with social protection;
6. **THANKS** the Chairperson of the Committee as well as those Members whose terms of office comes to an end in July 2005 for serving the Committee with dedication and loyalty;
7. **CALLS ON** Member States to continue to support the Committee to carry out its mandate efficiently;
8. **REQUESTS** the Commission to undertake study on the measures required to ensure continuity of the membership of the Committee, including the possibility of the renewal of the mandate of the members for one term;
9. **URGES** the African Union Commission to strengthen the Committee and to urgently ensure the full and effective functioning of its Secretariat.

DECISION ON CANDIDATURES

The Executive Council:

- 1. TAKES NOTE** of the Report of the Ministerial Committee on Candidatures;
- 2. APPROVES** the recommendations contained in the said report;
- 3. DECIDES** to endorse the following candidatures:
 - People's Democratic Republic of Algeria for re-election to the Council of the International Maritime Organization (IMO) Category "C";
 - Professor Addelfattah AMOR of Tunisia as the African Union candidate for the post of Judge at the International Court of Justice;
 - Libya and Egypt for the post of member of the Governing Board of the International Atomic Energy Agency;
 - Judge Akua Kuenyehia of Ghana for re-election as Judge of the International Criminal Court (ICC);
 - Mali for membership of the Governing Board of the Ministerial Conference for Environment.
- 4. RECOMMENDS** that the Commission, in consultation with the PRC, undertakes a Review of the Rules of Procedure in order to strengthen the Rules in line with other statutes and within the spirit of good corporate governance;
- 5. REQUESTS** the PRC to present the revised Rules at the next Ordinary Session of the Executive Council in January 2006.

DECISION ON THE IMPROVEMENT OF THE OPERATIONS
OF THE PAN-AFRICAN PARLIAMENT
DOC. EX.CL/203 (VII)

The Executive Council:

1. **TAKES NOTE** of the report of the Commission for the period January to June 2005;
2. **NOTES FURTHER** that the Pan-African Parliament has been in operation within the framework of the African Union for more than one year;
3. **DECIDES** that an audit of its operations be undertaken by External Auditors and a report thereon submitted to the next Ordinary Session of the Executive Council in January 2006;
4. **REQUESTS** the Commission to prepare the Terms of Reference for the External Auditors and to make the necessary arrangements for the accomplishment of the above task.

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