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**CONFERENCE OF AFRICAN MINISTERS
IN CHARGE OF BORDER ISSUES**

**PREPARATORY MEETING OF EXPERTS ON
THE AFRICAN UNION BORDER PROGRAMME**

**ADDIS ABABA, ETHIOPIA
4 - 7 JUNE 2007**

**BP/EXP/RPT(II)
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REPORT OF THE MEETING

Preventing conflicts, Promoting integration

REPORT OF THE MEETING

I. INTRODUCTION

1. The meeting of government experts preparatory to the Conference of African Ministers in charge of Border Issues, scheduled for 7 June 2007, was held in Addis Ababa from 4 to 5 June 2007.

2. The meeting was attended by representatives of the following member States: Algeria, Angola, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Chad, Democratic Republic of Congo (DRC), Republic of Congo (Brazzaville), Comoros, Côte d'Ivoire, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Gabon, The Gambia, Ghana, Guinea, Kenya, Liberia, Libya, Madagascar, Malawi, Mali, Mauritania, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sahrawi Arab Democratic Republic (SADR), Senegal, Seychelles, Sierra Leone, South Africa, Sudan, Swaziland, Tanzania, Togo, Tunisia, Uganda, Zambia and Zimbabwe.

3. The following Regional Economic Communities (RECs) were also present: the East African Community (EAC) and the Intergovernmental Authority for Development (IGAD). Finally, the following organizations and institutions attended as observers: Niger Basin Authority (ABN), Economic Community of the Great Lakes Countries (CEPGL), *Organisation pour la mise en valeur du fleuve du Sénégal* (OMVS), the United Nations Secretariat, including the United Nations Office for West Africa, UNHCR, the International Organization for Migration (IOM), UNDP, the Economic Commission for Africa, the UN Regional Centre for Peace and Disarmament in Africa, the League of Arab States, the *Organisation internationale de la Francophonie* (OIF), as well as the African Wildlife Foundation and the NGO ENDA DIAPOL.

II. OPENING

4. The meeting was opened by Mr. Saïd Djinnit, Commissioner for Peace and Security at the African Union. In his speech, the Commissioner recalled that, since African States gained independence, borders inherited from colonisation have been a factor of recurrent conflicts, adding that most of these borders were ill-defined and undemarcated. He recalled the relevant provisions of the OAU Charter as well as resolution AHG/Res.16(I) on the respect of borders inherited from colonization, which marked efforts by African leaders to mitigate border related risks of conflict.

5. The Commissioner underscored that a number of proposals were made in furtherance of these instruments, both with respect to the delimitation and demarcation of borders and the promotion of cross-border cooperation. Unfortunately, there was no follow-up to these proposals. Similarly, there was no concrete plan to facilitate the implementation of the Memorandum of Understanding on Security, Stability, Development and Cooperation in Africa (CSSDCA) adopted in July 2002, which provided for the delimitation and demarcation of African boundaries, where such an exercise has not yet taken place, by 2012 latest.

6. In light of the foregoing, and after recalling the relevant provisions of the AU Constitutive Act, the Commissioner stated that it was time to develop and put in place an innovative and imaginative programme for the management of inter-African borders,

aimed not only at promoting peace, security and stability, but also at facilitating the socio-economic integration and sustainable development of Africa. The AU Border Programme should be situated in this context. The aim of the Programme is not re-drawing the borders inherited from colonisation but rather striving to identify and demarcate them quickly, so as to mitigate their barrier effects and convert them into bridges, zones of sharing and solidarity that would cement the integration process underway in the continent.

III. ELECTION OF THE BUREAU

7. After the customary consultations within the various regions, the meeting elected its Bureau by acclamation as follows:

- | | |
|------------------------------------|----------------------------------|
| - Chairperson | - Togo (West Africa) |
| - 1 st Vice-Chairperson | - Cameroon (Central Africa) |
| - 2 nd Vice-Chairperson | - Libya (North Africa) |
| - 3 rd Vice-Chairperson | - South Africa (Southern Africa) |
| - Rapporteur | - Uganda (East Africa) |

IV. ADOPTION OF PROGRAMME OF WORK

8. The meeting adopted the programme of work proposed by the Commission.

V. CONSIDERATION OF ITEMS ON THE AGENDA

Sessions I and II: The Report of the meeting of experts held in Bamako, delimitation and demarcation of African borders

9. The meeting considered items for sessions 1 and 2 jointly. At these sessions, the meeting followed presentations on:

- the report of the meeting of experts organized by the Commission in Bamako, Mali, from 8 to 9 March 2007;
- the problem of borders in Africa – theoretical and practical aspects;
- delimitation and demarcation of African borders - legal aspects; and
- the draft questionnaire on the delimitation and demarcation of African borders.

10. While discussing this item, the meeting underscored the rather paradoxical nature of borders: potential factors of conflict, borders may and should also be a factor of peace and cooperation among States.

11. The meeting observed that the assertion that borders are an ambiguous reality, presenting both risks of conflict as well as opportunities for cooperation, is particularly applicable to Africa. It was precisely to reduce the risk of conflicts that, at the dawn of independence, African leaders undertook to respect the borders inherited from colonization [Resolution AHG/Res.16(II) on border disputes between African States, adopted at the 1st Ordinary Session of the Assembly of Heads of State and Government held at Cairo, Egypt, in July 1964]. The meeting also noted that, despite this decision,

Africa has witnessed and continues to witness numerous border conflicts. With the presence of cross-border mineral and natural resources, there is a real risk of these conflicts escalating.

12. In this context, the meeting underscored the necessity to rapidly delimit and demarcate the African boundaries, including maritime boundaries, where this has not yet done, expressing the wish that such exercise could be carried through within the time-frame prescribed by the Solemn Declaration on the CSSDCA. The resolution adopted in Cairo in July 1964 should be a starting point for this exercise. However, it was observed that, quite often, the documents and other elements of evidence inherited from the colonial era were incomplete and sometimes not readily accessible, and often are so many that it is difficult to know which one to apply. The meeting appealed to the former colonial powers to make available to African States concerned the documents and elements of evidence in their possession to facilitate the delimitation and demarcation of African borders.

13. The meeting recommended that States should engage in bilateral dialogue in delimiting and demarcating their borders. The issue of the effects of delimitation and demarcation on local populations was also raised. In this respect, the meeting urged the States concerned to take the necessary steps to protect the rights of the affected populations, notably where there is risk of loss of nationality, of real property, or of forced displacement.

14. The meeting further urged African States to use less costly procedures in demarcating their borders. In this respect, the meeting encouraged the exchange of experiences. It also noted with interest the experiences of some member States concerning the unitization and joint exploration and exploitation of resources in cross-border areas, which have enabled them to overcome difficulties in areas that await delimitation and demarcation.

15. The meeting underscored the need to conduct, as soon as possible, an exhaustive evaluation of the current status of African borders. In this regard, the meeting commended efforts being made by the Commission to prepare a questionnaire which will be sent to member States, requesting that the questionnaire be finalized as soon as possible, on the basis of the observations made.

Session III: Cross-border cooperation

16. The meeting followed a presentation on cross-border cooperation as a tool for conflict prevention, based on the experience of West Africa, as well as on other ongoing experiences in cross-border cooperation in the continent, notably:

- development of transport corridors (Maputo Development Corridor);
- regional cooperation based on cross-border dialogue between local communities with a view to protecting wildlife and fragile ecosystems (African Wildlife Foundation/Zambezi Heartland based in Zimbabwe);
- development of river basins, with OMVS (Organisation de mise en valeur du fleuve Sénégal – *Senegal River Development Authority*) ;

- analysis of the functioning of borders and the dynamics found therein, based on studies conducted by the Cotonou, Benin, Regional Analysis and Social Expertise Laboratory (LARES);
- the process of the International Conference on the Great Lakes Region;
- the Equatorial Guinea/Nigeria maritime boundary Treaty of September 2000, which contains a unitization clause for the joint development of resources found across the common boundary; and
- the activities of the NGO ENDA DIAPOL in West Africa.

17. The representatives of several other countries, international organizations and NGOs also presented papers on their border management experiences.

18. The meeting commended these different experiences and, more generally, acknowledged the importance of cross-border cooperation in mitigating the barrier effects of borders, preventing conflicts and fostering regional integration. It stressed the need to elaborate appropriate legal and financial instruments to facilitate the development of such cooperation.

19. Similarly, the deliberations highlighted the very diverse nature of the experiences in cross-border cooperation, be they local or large-scale initiatives. In this respect, the meeting requested the Commission to catalogue on-going experiences and to put in on-going place a mechanism for the exchange of good practices.

Session IV: Partnership, resource mobilization and capacity building

20. At this session, the meeting followed presentations on:

- partnership and the mobilization of resources required for the implementation of the AU Border Programme;
- capacity building for the implementation of the Border Programme.

21. Moreover, the meeting noted with interest the contribution of the United Nations Cartographic Section, which made a presentation on its experience and good practices, and gave information on the United Nations continued support for the promotion of cross-border activities.

22. Following these presentations, the meeting made the following recommendations:

- necessity for concrete capacity building at national, regional and continental levels to ensure the sustainable implementation of the Border Programme;
- cataloguing of existing capacities within the continent and putting such capacities to use, including recourse to the African Organization of Cartography and Remote Sensing (AOCRS);

- development of special training, education and research programmes on the management of border issues and making use of African structures and institutions, which should be strengthened;
- strengthening the Conflict Management Division of the Peace and Security Department of the AU, to enable it to provide necessary support for the implementation and monitoring of the Border Programme;
- raising the awareness of local populations so that they can own the Border Programme;
- involvement of parliamentarians, local governments, civil society, private sector and other relevant structures in the implementation and monitoring of the AU Border Programme; and
- building of partnerships with other regions of the world, particularly Europe, which has a wealth of experience in cross-border cooperation, through the Association of European Border Regions (AEBR) and the European Commission INTERREG Programme.
- mobilization of the resources required for the implementation of the Border Programme both within the continent and from AU partners.

Session V: Consideration of the draft report and the draft declaration to be submitted to the Ministers

23. The meeting considered its draft report and made the necessary amendments. It equally considered the draft declaration to be submitted to Ministers for consideration. In this respect, it requested the Commission, with the assistance of the Bureau, to finalize the draft document in light of the observations that were made.

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