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ASSEMBLY OF THE UNION
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Assembly/AU/7(XXVIII)

**DRAFT STATUTE FOR THE AFRICAN UNION SPECIAL FUND ON
PREVENTION AND COMBATING TERRORISM AND VIOLENT
EXTREMISM IN AFRICA**

**DECISION ASSEMBLY/AU/DEC.614 (XXVII) OF THE TWENTY-SEVENTH
ORDINARY SESSION OF THE ASSEMBLY OF THE UNION HELD 17 – 18 JULY
2016 KIGALI, RWANDA, ON THE ESTABLISHMENT OF AN AFRICAN UNION
SPECIAL FUND ON PREVENTION AND COMBATING TERRORISM AND VIOLENT
EXTREMISM IN AFRICA.**

The Assembly,

1. **TAKES NOTE** of the briefing provided by the African Union (AU) Commission on African efforts on preventing and combating terrorism and violent extremism in Africa;
2. **RECALLS** the OAU/AU pertinent decisions and resolutions on the prevention and combating of terrorism in Africa and in this context, the Assembly **REAFFIRMS** the importance of the AU and international instruments in the fight against terrorism;
3. **EXPRESSES ITS DEEP CONCERN** over the scourge of terrorism and violent extremism which continues to spread with serious consequences in the continent and **REITERATES ITS STRONG CONDEMNATION** of all acts of terrorism committed on the continent by whomever, wherever and for whatever purposes. In this context, the Assembly **EXPRESSES ITS HEARTFELT** condolences to all the victims of terrorist attacks in Africa and in other parts of the world;
4. **DECIDES** to establish an AU Special Fund for Prevention and Combating of Terrorism and Violent Extremism, to be funded through voluntary contributions. In this respect, the Assembly **REQUESTS** the AU Commission to work out the necessary modalities to this effect, as well as its mechanism of functioning;
5. **FURTHER REQUESTS** the AU Commission to report, through the Permanent Representatives Committee (PRC) and the Executive Council, to the next ordinary session of the Assembly of the Union on the progress made in implementing this decision.

STATUTE ESTABLISHING THE AFRICAN UNION SPECIAL FUND ON PREVENTION AND COMBATING TERRORISM AND VIOLENT EXTREMISM IN AFRICA

The Member States of the African Union,

RECALLING resolution AHG/Res.213(XXVIII) on the Strengthening of Cooperation and Coordination among African States, adopted by the 28th Ordinary Session of the Assembly of Heads of State and Government of the Organization of African Unity (OAU), held in Dakar, Senegal, from 29 June to 1 July 1992,

FURTHER RECALLING Declaration AHG/Del.2(XXX) on the Code of Conduct for Inter-African Relations, adopted by the 30th Ordinary Session of the OAU Assembly of Heads of State and Government, held in Tunis, Tunisia, from 13 to 15 June 1994, in which the Assembly rejected all forms of extremism and terrorism, including those based on sectarianism, tribalism, ethnicity and religion;

ALSO RECALLING Decisions Assembly/AU/Dec.256(XIII) on combating the payment of ransom to terrorist groups and Assembly/AU/Dec.311(XV) on the prevention and combatting of terrorism, adopted by the Assembly of the Union at its 13th and 14th Ordinary Sessions held in Sirte, Libya, and Kampala, Uganda, from 1 to 3 July 2009 and from 25 to 27 July 2010, respectively, as well as paragraph 22 of Decision Assembly/AU/Dec.536(XXIII) on the Report of the Peace and Security Council on its Activities and the State of Peace and Security in Africa, adopted by the 23rd Ordinary Session of the Assembly of the Union, held in Malabo, Equatorial Guinea, from 26 to 27 June 2014.

AWARE of the seriousness of the threat posed by terrorism and violent extremism to peace, security and stability on the continent

ACKNOWLEDGING that the establishment of the African Union Special Fund on Prevention and Combating Terrorism and Violent Extremism in Africa is a major step towards the mobilization of financial resources in order to provide predictable funding for the Member States to effectively and sustainably meet their obligations in the prevention and combating of terrorism and violent extremism

RECOGNIZING that in order for the Member States to meet their objectives in the prevention and combating of terrorism and violent extremism, they will require sustainable financial resources that should be assured in terms of allocation, adequacy, and timely disbursement.

AWARE that AU Member States have developed an elaborate normative framework for the prevention and combating of terrorism and violent extremism, but that the threat is spreading geographically, with countries that have previously not experienced attacks being targeted by terrorists.

Article 1 Definitions

In this Statute:

“**Assembly**” means the Assembly of Heads of State and Government of the African Union;

“**AU**” means the African Union established by the Constitutive Act;

“**Commission**” means the African Union Commission;

“**Executive Council**” means The Executive Council of the African Union;

“**Fund**” shall be the African Union Special Fund on Prevention and Combating Terrorism and Violent Extremism in Africa;

“**RECs**” means the Regional Economic Communities;

“**Statute**” means the present Statute establishing the African Union Special Fund on Prevention and Combating Terrorism and Violent Extremism in Africa.

Article 2 Objectives

The overall purpose of the AU Special Fund on Prevention and Combating Terrorism and Violent Extremism in Africa is to mobilize financial resources in order to provide predictable funding in support of the efforts of Member States in the prevention and combating of terrorism and violent extremism in African.

Specifically, the Fund will expand the options for Member States to realize the implementation of priority activities to prevent and combat terrorism and violent extremism while strengthening the capacities of the relevant national agencies.

The two main categories of the activities include:

- a) emergency operational support to facilitate rapid response to a terrorist attack; and
- b) activities related to meeting national obligations aimed at strengthening the capacities of the relevant agencies and civil society in the prevention and combating of terrorism and violent extremism according to national priorities

Article 3 Principles

1. The basic principle for the AU Special Fund on the Prevention and Combating Terrorism and Violent Extremism in Africa shall be that the contributing countries will make contributions either for specific areas or for general support in the prevention and combating of terrorism and violent extremism.
2. The Commission, including through the African Centre for the Study and Research on Terrorism (ACSRT) will be responsible for supporting the beneficiary Member State(s) to implement the funded activities.

Article 4 Membership

All Member States of the African Union shall be members of the Fund.

Article 5 Resources of the Fund

1. The Fund is established through voluntary contributions by Member States. However, the fund may also receive funding from international partners.

Article 6 Use of Resources

The fund will, among others, be used to support Member States in the following areas:

- i. Build and strengthen capacities of relevant agencies;
- ii. Implement activities related to providing a counter-narrative to terrorism and violent extremism
- iii. Civil society initiatives related to the prevention and combating of terrorism and violent extremism
- iv. Review of national laws in order to establish criminal offences for terrorist acts as defined in the 1999 OAU Convention on the Prevention and Combating of Terrorism and other international instruments, and make such acts punishable by appropriate penalties
- v. Preventing their territories from being used as a base for the planning, organization or execution of terrorists acts;

- vi. develop and strengthen cooperation in controlling and monitoring land, sea and air borders to enable detection of illegal cross-border activities that may aid committing terrorist acts;
- vii. Development of mechanisms for exchange of information and expertise on terrorist acts and establish data bases, collection and analysis of information and data on terrorist elements, groups, movements and organizations;
- viii. Develop and strengthen co-operation between relevant domestic security agencies and services and the citizens so as to enhance the participation of civil society in the prevention and combating of terrorism and violent extremism

Article 7 Management of the Resources

1. The financial resources of the Fund shall be deposited in a special account opened for the purpose with the African Development Bank.
2. The Counter-Terrorism Special Fund Committee shall be established to manage the Fund, in accordance with the Financial Rules and Regulations of the Commission.
3. Members of the Counter-Terrorism Special Fund Committee shall serve for a two-year term;
4. The members of the Committee shall be elected from among the contributing countries;

Article 8 Administration of the Fund

1. The African Development Bank shall be responsible for the management and disbursement of Fund in accordance with the terms and conditions as stipulated by the Counter-Terrorism Special Fund Committee.
2. The Counter-Terrorism Special Fund Committee shall make decisions on the use of the Fund and shall be responsible for the following:
 - i) make decisions on the disbursement of the Fund;
 - ii) consider and approve the projects to be supported;

- iii) ensure the principle of geographical distribution in approving the disbursement of the Fund.
3. The Peace and Security Department shall be the Secretariat for the Fund. The department shall:
- i) develop guidelines on how to management the Fund;
 - ii) prepare the annual work plan, which will guide the specific activities that will be identified for funding;
 - iii) be responsible for convening the Fund Committee to consider the proposed activities;
 - iv) administer the funds received, in accordance with the AU Financial Rules and Regulations;
 - v) provide an annual report of the status of the financial status of the Fund to the Fund Committee;
 - vi) Provide quarterly financial and narrative reporting to Fund Committee;
 - vii) ensure annual audit of the accounts of the Fund and shall present the audited accounts to the Fund Committee.

Article 9 Working Languages

The official and working languages of the Fund shall be those of the Union.

Article 10 Amendments

Proposals for the amendments of these Statutes may be made by any Member State of the Union, and may be amended through a simple majority decision of the Member States.

Article 11 Entry into Force

This Statute shall enter into force upon adoption by the Assembly

Adopted by the ----- Session of the Assembly held in --- in ---- 2017

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