



ORGANIZATION OF
AFRICAN UNITY
D. P. 1947

منظمة الوحدة الأفريقية
المنظمة
في أبجديات

ORGANISATION DE L'UNITE
AFRICAINNE
D. P. 1947
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COUNCIL OF MINISTERS
Twenty-Sixth Ordinary Session
Addis Ababa - February 1976

ADMINISTRATIVE SECRETARY-GENERAL'S PROGRESS REPORT ON THE REGULAR
PUBLICATION OF AN AFRICAN YEAR-BOOK OF INTERNATIONAL LAW



CM/725

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ADMINISTRATIVE SECRETARY-GENERAL'S PROGRESS REPORT ON THE REGULAR
PUBLICATION OF AN AFRICAN YEAR-BOOK OF INTERNATIONAL LAW

The publication of an African Year-book of International Law at the instance of Algeria has been under consideration by the Council of Ministers since its Thirteenth Ordinary Session held from 27 August to 6 September 1969 in Addis Ababa.

At that Session, the Council unanimously accepted the principle of the regular publication of an African Year-book of International Law but decided to defer any consideration of the matter to its Fourteenth Ordinary Session. It further requested the Administrative Secretary-General to prepare and submit a report on the financial implications of the publication to its Fourteenth Session.

During the Fourteenth Ordinary Session of the Council, it was again decided to defer consideration of the matter to the Fifteenth Ordinary Session, since the General Secretariat could not prepare the report required of it by Council Decision CM/Dec.78(XIII). The Council, however, further directed (Decision CM/Dec.109(XIV) that the report of the OAU General Secretariat be prepared "in co-operation with the Governments of Member States, African Universities and Institutes and all other African Institutions concerned with International Law".

In compliance with the directives, the General Secretariat circulated Note No.LEG 80 GEN/791/70 dated 22 June 1970 to all Member States requesting them to forward their views on the subject of the regular publication of an African Year-book of International Law. It also requested them to consult with their Universities and other institutions concerned with International Law with a view to obtaining their observations on the matter.

In the Note mentioned above, the General Secretariat drew the attention of Member States to three important aspects of the question, namely: finance, scientific collaboration of African research workers and lastly, whether the publication of the Year-book should be the responsibility of one of the Member States to be supported technically, financially and materially by the others or if, on the other hand, OAU should undertake to publish it.

It should also be mentioned that a draft budget up-dated in the Annex proposed by the Algerian Government for the publication of the Year-book in 1970 was circulated to Member States. At its 16th Ordinary Session,

the Council enjoined Member States "to forward to the General Secretariat their comments on the various implications of publishing an African Year-book of International Law". By CM/Res.449(XXV) Rev.3 at Kampala, the Council:

"1. DIRECTS the Secretariat to reinforce its efforts of obtaining the views of Member States on outstanding matters - finance, location of publication, etc. - relating to the publication of the Year-book;

"2. URGES Member States to communicate their views to the General Secretariat as urgently as possible;

"3. DIRECTS the Secretariat to synthesise available views of Member States on the subject, and to put up concrete proposals on the subject for consideration of the Council at its next Session;

"4. TAKES NOTE of the candidature of Algeria to host the headquarters of the African Year-book of International Law".

IN CAB/LEG/2/4 of 9 September 1975, Member States were informed of synoptic views on the issue, and requested those who have not sent theirs to do so. Also in CAB/LEG/2/22 of 30 October, they were reminded of the urgent need to send in their comments. But so far only the following three countries have commented.

1. Morocco
2. Republic of Niger
3. Federal Republic of Nigeria.

Those who have sent in their views agreed, at least in principles with the synopsis which are as follows:

1. The OAU should sponsor or promote the publication of an African Year-book of International Law.
2. The OAU should appoint a law commission whose principal aim should be the publication of the African Year-book of International Law. The Commission should be drawn from amongst eminent jurists from Member States countries.
3. The Law Commission should work out details for the publication including the appointment of an independent body of jurists, Institutions of International Affairs from countries of Member States and research workers in Law. This body will be responsible for the day-to-day running of the publication. It should be sufficiently independent to be insulated from politics.

4. The Commission will also decide on the location of the publishing centre, taking into consideration the request of Algeria that Algiers be the centre, and language problems, as the Year-book should be of a single text, but published in at least three languages of the OAU - English, French and Arabic.
5. The publication should be financed in the few years after its inception from OAU sources, donations and financial assistance from foundations. But after a period of about five years, it should be able to depend on its own resources including subventions from the OAU and financial assistance from foundation.
6. The General Secretariat of the OAU would continue to service the Commission which will meet at least once a year at different centres in the countries of Member States to decide on general policy relating to the publication. Such policy would only relate to objectivity of the publication. Questions relating as to details of the publication will not be subject to the review of the Commission, but must remain the domain of the special body entrusted with the publication. The Commission will submit an annual report to the Council of Ministers and Assembly of Heads of State and Government.

It is therefore recommended that the Council now take the following further steps towards the publication of the African Year-book on International Law:

- (a) That a Law Commission be now appointed, and be charged, amongst other duties, with the working out the details relating to finance, personnel, including a body of jurists and location of the publication of the African Year-book of International Law; and
- (b) To report to the Council not later than its Ordinary Session in February 1977.

MINISTRY OF FOREIGN AFFAIRSAFRICA DIVISION

**DRAFT BUDGETARY ESTIMATE FOR
THE AFRICAN YEARBOOK OF INTERNATIONAL LAW - 1970

Code No.	DESCRIPTION	Appropriations in US dollars
Chapter 1: <u>Staff emoluments</u>		
Part 1: <u>Permanent Staff</u>		
01	Salary of the Permanent Secretary (or director of the Drafting Committee)	9,600.00
02	Salary of one documents officer	6,000.00
03	Salary of two typists	3,000.00
04	Salary of two translators	6,000.00
05	Salary of a storekeeper	1,500.00
06	Salary of technicians for maintenance	2,000.00
	Total of Part 1	<u>28,000.00</u>
Part 2: <u>Temporary Staff</u>		
<u>Payment of external collaborators</u>		
<u>non-members of the Yearbook office</u>		
07	Six articles for the "Doctrinal Section"	3,000.00
08	Seven studies (Section entitled "Studies and articles")	2,100.00
09	African Law Reports	400.00
10	Chronology of International events concerning Africa	400.00
11	Bibliography on international law in Africa	<u>2,000.00 (1)</u>
	Total of Part 2	7,900.00

- (1) The systematic Bibliography will be exceptionally long for the first issue of the 1970 Yearbook since it will contain all works done since the beginning of the second half of the century in international law (1950-1970). This explains the amount given.

Code No.	DESCRIPTION	Appropriations in US dollars
<u>Part 3: Expenditure on Travel and Studies</u>		
12	Reimbursement of travel expenses of members of the Governing Body (two Meetings per year in Algiers)	20,000.00
13	Reimbursement of extraordinary expenses for studies	5,000.00
14	Travel expenses of permanent staff	5,000.00
	Total of Part 3	30,000.00
	Total for Chapter I	66,000.00
 <u>Chapter II: Expenditure on office equipment and services.</u>		
15.	Office supplies	1,000.00
16	Office equipment	3,000.00
17	Heating, lighting, maintenance and renting of premises	800.00
18	Telephone	1,000.00
19	Postage	1,000.00
20	Printing of the Yearbook (5,000 copies in English) (5,000 copies in French)	25,000.00
	Total for Chapter II	31,800.00
 <u>Chapter III: Assistance.</u>		
Assistance for research: Cultural and educational action		
21	Awards for the two best legal works (two prizes)	2,000.00
22	Scholarships to two African Students for thesis in international law	2,000.00
	Total for Chapter III	4,000.00
 General total for the first issue of the 1970 African Yearbook of International Law in French and English		
	Chapter I	66,000.00
	Chapter II	31,800.00
	Chapter III	4,000.00
		<u>101,800.00</u>

**Based on Addis Ababa rate, the value of dollar as shown in the figures above
has risen by 20.77%.



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Administrative Secretary General's Progress Report on the Regular Publication of an African Year-Book of International Law

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