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Seventy-sixth Ordinary Session
COMMITTEE OF AMBASSADORS
AND OTHER PLENIPOTENTIARIES
Fifteenth Ordinary Session
28 – 29 June, 2002
Durban, SOUTH AFRICA

Cttee/AMB/Rpt (XV)

REPORT OF THE FIFTEENTH ORDINARY SESSION
OF THE COMMITTEE OF AMBASSADORS
AND OTHER PLENIPOTENTIARIES

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PLENIPOTENTIARIES**

INTRODUCTION

1. The Committee of Ambassadors and Other Plenipotentiaries met at its Fifteenth Ordinary Session from 28 to 29 June, 2002 at the Durban International Convention Centre, South Africa. The Session was opened by H.E. Mame Balla Sy Ambassador of the Republic of Senegal to Ethiopia and the OAU, in his capacity as representative of the Chairman of the 75th Ordinary Session of the Council of Ministers. In keeping with its practice, the meeting maintained the Bureau of the 75th Ordinary Session of the Council of Ministers, as its Bureau. The Bureau was therefore composed as follows:

Chairman	Senegal
1 st Vice-Chairman	Burundi
2 nd Vice-Chairman	Tanzania
3 rd Vice-Chairman	Sahrawi Arab Democratic Republic
Rapporteur	Lesotho

ATTENDANCE

2. The following Member States participated in the Session: Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Chad, Congo, Côte-d'Ivoire, Djibouti, Democratic Republic of Congo, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Ghana, Guinea, Kenya, Lesotho, Liberia, Libya, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sahrawi Arab Democratic Republic, Senegal, Sierra Leone, South Africa, The Sudan, Swaziland, Tanzania, Togo, Tunisia, Uganda, Zambia and Zimbabwe.

3. The following Regional Economic Communities attended the meeting: CEN-SAD, COMESA, ECOWAS, IGAD and SADC.

4. The following African and Non-African Organisations also attended the meeting: ECA, FAO, ILO, IOM, IPEP, UNDP, WIPO, ARI, ITU, OATUU, AFCAC, AAA, FEPACI, UN/OHRLLS, ICRC, UNCCD, ICFTU-AFRO.

OPENING OF THE MEETING

5. In his opening address, His Excellency Mame Balla Sy Ambassador of the Republic of Senegal to Ethiopia and the OAU, on behalf of the Committee thanked the South African authorities for the warm welcome and hospitality extended to all the delegations since their arrival in Durban, and for the excellent facilities provided to ensure the success of the meeting.

6. The Durban meeting, he noted was of vital importance in that it was taking place on the eve of a momentous event in Africa, namely, the launching of the African Union. He intimated that between 25 May 1963 and 9 September 1999, Africa had come a long way in realizing its dream for economic revival and regaining its dignity.

7. Mr. Mame Balla Sy then thanked all the delegations present in Durban and welcomed the presence of the OAU Secretary General H.E. Amara Essy, at the opening session. He was appreciative of the Secretary General's unflinching cooperation with the Committee, and the quality of the work he had accomplished at the helm of the Secretariat of the Organization during the brief transition period, despite the numerous initiatives he had to undertake, as evidenced by the many conflicts that have continued to tear the Continent apart. Following this brief statement, the Ambassador of Senegal called on the Secretary General to address the meeting.

8. In his opening remarks, Mr. Amara Essy thanked all members of the Committee and availed himself of the opportunity to extend to all Member States, through their Permanent Representatives in Addis Ababa, his appreciation of the unqualified support and friendship he had enjoyed from each and everyone, throughout the transition. He recalled that the transition had been carried out under difficult conditions on account of the conflicts that had proliferated in Africa. The Secretary General underscored the importance that the Heads of State, the people and the youths of Africa attach to the African Union which, he said, must become a reality. He reaffirmed his faith in the Union and stressed the urgent need for the Continent to bring it to fruition.

9. Concluding, Mr. Amara Essy thanked the South African authorities for having accepted to host the Durban Summit and for the hospitality and excellent facilities provided, in a country that had now shed the yoke of apartheid.

ORGANISATION OF WORK

10. The Committee adopted the following working hours:

Morning : 9h00 – 13h00
Afternoon : 15h00 – 19h00

ADOPTION OF THE AGENDA

11. The meeting adopted the following agenda for its work:

- I.** a) Organization of Work
b) Adoption of the Agenda

CM/2243(LXXVI)

II. ADMINISTRATIVE AND FINANCIAL MATTERS

1. Report of the Secretary General on the
Financial Situation of the Organization
as at 31 May 2002

CM/2244(LXXVI)

2. Report of the Eighteenth Ordinary Session
of the Committee on Contributions

CM/2245(LXXVI)

3. Report of the Experts' Meeting held on
3-4 June 2002 to review the proposals of
the UN Expert on the OAU Scale of
Assessment

CM/2246(LXXVI)

4. Report on the Review of Conditions of
Service of OAU Staff (Implementation of
Decision CM/Dec.554(LXXIII)

CM/2247(LXXVI)

5. Consideration of the Provisional
Budget

CM/2248(LXXVI)

III. ECONOMIC AND SOCIAL MATTERS

1. Report of the Secretary General on the
Implementation of the Treaty Establishing

the African Economic Community:

- a) Progress Report of the Secretary General
on the Follow-up to Doha Ministerial
Conference of WTO
CM/2249(LXXVI)a
 - b) Progress Report of the Secretary General
on Preparations for the WTO-Compatible
Trade Negotiations under the Cotonou
Partnership Agreement
CM/2249(LXXVI)b
 - c) Progress Report of the Secretary General
on the Implementation of the project on
Assistance for the Development of
Telecommunications Industry in Africa
(INDAFTEL)
CM/2249(LXXVI)c
 - d) Progress Report of the Secretary General
on the Follow-up on the Abuja Declaration
and Framework Plan of Action on HIV/AIDS,
Tuberculosis and other related Infectious
Diseases in Africa
CM/2249(LXXVI)d
 - e) Report of the Secretary General on Progress
being made in the Implementation of the
Abuja Declaration and Plan of Action on
Roll-Back Malaria (RBM)
CM/2249(LXXVI)e
 - f) Progress Report of the Secretary General
on the implementation of the Programme
of Action of the Education Decade in
Africa
CM/2249(LXXVI)f
2. Report of the Secretary General on progress
made in the Implementation of the Summit
Decision on the Eradication of Tsetse Flies
from Africa
CM/2250(LXXVI)

IV. LEGAL MATTERS

1. Report of the Secretary General on the Status of OAU Treaties
CM/2251(LXXVI)
2. Progress Report of the Secretary General on the Review of OAU Treaties
CM/2252(LXXVI)

V. CONSIDERATION OF THE DRAFT AGENDA OF THE 76TH ORDINARY SESSION OF THE COUNCIL OF MINISTERS

VI. ANY OTHER BUSINESS

VII. ADOPTION OF THE DRAFT RAPPORTEUR'S REPORT

Agenda Item II: ADMINISTRATIVE AND FINANCIAL MATTERS

1. **Report of the Secretary General on the Financial Situation of the Organization as at 31 May 2002 - Doc. CM/2244 (LXXVI)**
12. The Report was presented by the Assistant Secretary General in charge of Administration and Finance.
13. In his presentation, the Assistant Secretary General expressed his concern over the accumulation of arrears of contributions which, he said, could impact negatively on the financing of the African Union. As at 31 May 2002, Member States' outstanding contributions to the Organisation amounted to US\$42,400,669.64.
14. He informed the Committee of the financial situation of the Organisation as at 31 May 2002 as follows:
 - Incomes received during the 2001/2002 financial year amounted to US\$31,032,720.78, broken down as follows:
 - US\$15,110,966.08, i.e. 56 % of the total amount of assessed contributions for the 2001/2002 financial year;
 - US\$15,921,754.70 received as payments of arrears including the payment made by Libya amounting to US\$2,272,058.45 on account of eleven Member States.

15. An amount of US\$452,593.50 was received as advance payment under the 2002/2003 financial year, from the following four Member States:

- Angola: US\$21.00
- Mali: US\$ 8.87
- Tunisia US\$443,478.63
- Zambia US\$9,085.00

16. The Assistant Secretary General also informed the Committee that the following Member States had paid up either in full or in part their contributions as of 31 May 2002:

- Côte d'Ivoire : US\$ 821,716.63
- Djibouti: US\$ 201,075.00
- Ghana: US\$1,021,200.00
- Libya: US\$245,300.00
- Mauritania: US\$204,983.03
- Niger: US\$383,180.36
- SADR: US\$201,055.00
- Sierra Leone: US\$6,100.00

The Secretariat similarly received contributions from the following Member States:

- The Sudan: US\$498,950.00
- Eritrea: US\$202,055.00
- Zambia: US\$365,000.00

The Secretariat further confirmed receipt of the transfer of US\$361,170.66 made by the Republic of Congo.

17. The Committee commended the following 17 Member States that had fully settled their assessed contributions towards the financial year that had ended on 31 May 2002: Algeria, Angola, Botswana, Cameroon, Egypt, Ethiopia, Lesotho, Libya, Mali, Mauritius, Mozambique, Namibia, Nigeria, South Africa, Swaziland, Tunisia and Zambia. It also applauded the following 4 Member States that have paid in advance their contributions towards financial year 2002/2003: Angola, Mali, Tunisia and Zambia.

18. Following this presentation, and before taking note of the report, the Committee recommended that the Secretariat should study the possibility of aligning the financial year of the African Union with the calendar year, in order to meet the aspirations of Member States for budget harmonization. The Assistant Secretary General pointed out

that according to the draft rules of procedure of the key organs of African Union and the draft statutes of the Commission, the financial year of the African Union was expected to begin in November.

2. **Report of the Eighteenth Ordinary Session of the Committee on Contributions – Doc. CM/2245 (LXXVI)**

19. Presenting the above Report, the Ambassador of Rwanda to Ethiopia and Chairman of the Committee on Contributions, Mr. Pascal Ngoga, underscored the mode of applying pressure to ensure that Member States in arrears pay up their contributions, namely, sending reminders to the Presidents of the concerned Member States.

20. Following the presentation, the Assistant Secretary General in charge of the Department of Administration and Finance informed the Committee that some Member States hitherto under sanctions: Djibouti, Sahrawi Arab Democratic Republic, Ghana and Mauritania had regularized their situation by paying up all or part of their contributions and arrears.

21. It was further explained that some Member States which had benefited from Libyan assistance were still under sanctions because, in spite of the financial aid extended to them by Libya, most of them had made no efforts to ensure the payments of their contributions, subsequent to those made by Libya.

22. Attention of the Committee was drawn to an Article on the launching of the African Union, appearing in the June 2002 issue of the New African Magazine based in London. The Committee deplored the dangerous allegations and erroneous information contained in that publication, which could tarnish the image of the Organisation and its leaders and stressed that the Secretariat would have been expected to issue a statement repudiating the false publication. There was a note of caution that greater circumspection be exercised and that the Secretariat respond promptly to such unfounded allegations. It also called for the strengthening of the Press Service of the OAU.

23. The Committee took due note of the Report, and agreed that paragraph 3 of Doc. CM/2245 (LXXVI) be deleted.

3. **Report of the Experts' Meeting to Review the Proposals of the United Nations Experts on OAU Scale of Assessment – Doc. CM/2246 (LXXVI)**

24. The Report was presented by the Ambassador of Burkina Faso to Ethiopia, in the absence of the expert from his country who chaired the Committee of Experts.

25. Following presentation of the Report, some delegations, considering the technical nature of the said report, recommended that it be examined by a Committee of Experts from Member States and subsequently by the Committee on the Scale of Assessment, with recommendations to the Council of Ministers. At this juncture, the Assistant Secretary General in charge of the Department of Administration and Finance intervened to make an appeal to delegations to ensure that in future, experts should be sent from their respective capitals to meetings of the Committee.

4. **Report on the Review of Conditions of Service of OAU Staff (Implementation of CM/Dec.554 (LXXIII) – Doc. CM/2247 (LXXVI)**

26. In his presentation of the above report, the Assistant Secretary General in charge of the Department of Administration and Finance recalled Decision CM/Dec. 554 (LXXVI) of the Council session held in Tripoli, Libya from 22 to 26 February 2001. The Decision had mandated the General Secretariat to submit to the July 2001 session of Council, within the framework of the Career Development Plan, proposals to ensure the motivation of Staff of the Organization, including a review of salaries.

27. The Assistant Secretary General informed the Committee that pursuant to that decision, the Secretariat had sought the services of the United Nations Development Programme (Global Consulting Services) to conduct a study and come up with proposals to improve the current compensation structure of the OAU. However, while the study was under way, the Secretariat had concentrated all its efforts on preparations for the launching of the African Union. The issue of salary increase had also been examined during the 75th Ordinary Session of Council in March 2002, where the need was stressed for an appropriate basis for taking an informed decision.

28. The Assistant Secretary General also informed the Committee that the awaited study had been completed and submitted to the Secretariat barely a month before the Durban meeting, and that the results thereof had confirmed the existence of serious discrepancies in

the compensation structure of the Organization. There was an urgent need therefore to remedy the situation by devising ways and means of motivating the entire staff of the Secretariat whose salaries had not been reviewed upward for the past ten years. The Assistant Secretary General stated that in presenting those recommendations, the study had used an objective basis in determining the compensation structure within the Organization in accordance with what was obtaining in the major multilateral organizations.

29. In this connection, he explained to the Committee that the Report of the Consultants had reviewed the current remuneration levels in OAU Member States, particularly in those Member States where the OAU had experienced difficulties in recruiting and/or retaining their nationals, owing to the higher remuneration levels offered by those Member States. For the exercise, the South African compensation structure was retained as a basis for comparison; and in this regard, the study had recommended a net 69.8 % salary increase for OAU staff members.

30. Outlining the salient points of the Consultants' Report, the Assistant Secretary General underscored the major recommendations and added that the Secretariat had estimated the financial implications of the recommendations and the proposed options presented as requiring an annual additional sum of US\$8,070,746.90. Lastly, he reiterated that the recommendations contained in the Report under consideration had been formulated in pursuance of Council Decision CM/Dec. 554 (LXXIII).

31. The Assistant Secretary General further stated that the Secretariat was fully aware that the issue was being examined within the context of the transformation, and establishment of the Commission of the Union and its other organs. He affirmed, however, that the Secretariat was submitting the present proposals in keeping with the spirit of the Council Decision of 2001 regarding motivation of OAU staff, and that the need thereof had been expressed on several occasions by Council, particularly at its last session in Addis Ababa in March. He further stated that, although the 69.8 % increase might be considered substantial, the critical issue should be the principle determining the remuneration levels for the staff of the Continental Organisation and the various implications.

32. After the presentation, the Ambassador of the Federal Republic of Nigeria H.E. J. K. Shinkaiye in his capacity as Chairman of the Advisory Committee was invited to provide the Committee with general guidelines.

33. The Ambassador confirmed that as indicated in paragraph 31 of the Report, the Bureau of the Advisory Committee had indeed been briefed on the issue. He stressed that the presentation by the Assistant Secretary General was fair and precise and in line with the scenario established by Council during its Session in March 2002 in Addis Ababa. He recalled that Members of the Advisory Committee were unanimous in recognizing that the OAU remuneration level was inadequate compared with other organizations. He further pointed out that in order to justify any decision on salary increase, he had requested that the Secretariat undertake a study, the report on which was under consideration. The Nigerian Ambassador then acknowledged that a salary increase was justified. However, he expressed dissatisfaction with the fact that the Secretariat had not forwarded the report to Member States on time. He further stated that it would have been more judicious for the Secretariat to inform Member States beforehand, of the results of the study. He then reminded the Committee of some concerns raised by the Bureau during the meeting with the Consultant, which had not been taken into account in the Report, namely:

- the need to complete the study on Botswana;
- the need to undertake comparative analysis of the remuneration structures within SADC;
- the need to review the proposed salary step range (10 or 15) due to the risk of staff demotivation arising from an officer remaining on the same grade for 15 or 20 years during a 30 year career span.

34. In his capacity as his country's Head of Delegation, the Ambassador acknowledged the need to increase the OAU staff salary, taking into account their difficult working conditions. However, he asserted that the 69.8% increase requested by the Secretariat would be impossible to implement due to various constraints. He would nevertheless be prepared to favourably consider a nominal increase, as an interim measure, pending a more in-depth study of the Report and the clarifications to be given by the Secretariat.

35. All the other delegations, while acknowledging the validity of the Secretariat's recommendations, deplored the Secretariat's delay in forwarding the Report as well as the absence of a precise Restructuring Plan to successfully execute the African Union mandate. Some delegations also deplored the absence of staff classification and a set of criteria to justify an increase which should not be flat for all. Other delegations while recognizing the need to accept the Secretariat's request with a positive attitude, intimated that the need to improve the working conditions of the Secretariat staff went back to the Decision

taken in Sirte in March 2001, and has been the concern of the Ad Hoc Committee on Structural Reforms. For these delegations, the Secretariat should first undertake an objective staff evaluation on the basis of the Reports prepared by the UNDP and the International Labour Office (ILO). They further asked the Secretariat specific questions to which the answers should be provided in detail for presentation at the next meeting of the Permanent Representatives' Committee. The list of questions is annexed to this Report.

36. Other views were that the new salary scales should be applicable in the structures of the African Union, particularly to staff who would have been retained after evaluation. It was also suggested that a special gesture be made towards staff who deserved improvement in their service conditions, while avoiding any measures that could compromise the major project of the African Union. The economic difficulties facing Member States were a major constraint to the proposed 69.8% increase in salaries.

37. Several other proposals were made, including a nominal provisional increase of between 10% and 15%. One delegation proposed the aligning of the increase with the 40% salary increase at the League of Arab States which would enter into force on 1 July 2002. This proposal was not considered on the grounds that the two Organizations are not the same. It was however stressed that in the event of a decision to adopt a new salary structure for the African Union any resultant increase should be gradual and spread out over several years.

38. After a lengthy debate on the issue, the Committee decided to make the following recommendations to the Council of Ministers:

- The Secretariat should carry out an in-depth study taking on board all the points and critical issues raised by the various delegations, and submit their conclusions to the Committee for further consideration;
- The Secretariat should provide answers to questions posed by the delegations;
- The Council grant an interim nominal 15% salary increase to the entire staff of the Organization across the board. Nevertheless, it was recognized that this increase had not been based on the study submitted by the Secretariat;

- Incorporate in the Organization's budget the financial implications of this 15% salary increase. This amount has been estimated by the Secretariat to be US\$1,502,200.00.
- The salary increase decision would take retroactive effect from 1 March 2002;

39. The reasons justifying the above interim measure were given as follows:

- The salary structure had not been reviewed for a decade;
- The cost of living index both in Addis Ababa and in countries where the Organization had offices/missions had registered a significant rise, without any corresponding compensation being granted to staff;
- The Organization was currently operating with a reduced staff strength, while the volume of activity would increase considering the new mandate of the African Union;
- An incentive for staff.

40. After the debate, the Assistant Secretary General expressed gratitude to the Committee for its token gesture which represented a motivation for the Organization's staff. He reassured the Committee that this special motivation package would go a long way in rallying members of the Secretariat behind the programmes of the Union. Finally, he concluded by promising that the Secretariat would submit to the Committee, answers to the questions they had raised.

5. **Consideration of the Provisional Budget – Doc. CM/2248 (LXXVI)**

41. Introducing the above item, the Assistant Secretary General in charge of the Programmes and Policies Coordination Department spelt out the procedure followed by the Secretariat in preparing the draft programme budget for the 2002/2003 Financial Year.

42. He recalled that the Secretariat had prepared and submitted a Draft Programme Budget for the 2002/2003 Financial Year to the Advisory Committee for consideration in December last year. The Advisory Committee had not examined that budget since it was of the opinion that the organs of the African Union should first be set up,

and their respective structures, as well as the programmes to be implemented and the activities to be conducted, determined.

43. The Committee therefore recommended a programme budget for a period of two months; that is, June and July 2002. The amount of this budget would be calculated using as a benchmark the Programme Budget for the 2001-2002 financial year, which amounted to US\$31,000,000.

44. Implementation of this recommendation had not posed a problem insofar as expenses incurred on monthly basis were concerned, such as salaries. This did not apply to other expenses, particularly expenses relating to the organization of meetings and conferences.

45. For this reason, on 31 May 2002, the Secretary General had held a meeting with the Bureau of the Advisory Committee and the Regional Deans. At that meeting, the Secretary General had informed participants of the difficulties to be encountered in ensuring the proper functioning of the Secretariat in certain areas, especially, financing the Durban Summit. In addition, the Secretary General had intimated that Consultants from the International Labour Office (ILO) were conducting a study financed by the ILO, upon his request, on the structure of the Commission. He had announced that he would probably be receiving the conclusions of the study around 15 June and that this would give a fair idea of the structure of the Commission and its financial implications.

46. Following an exchange of views on this issue, the Secretariat had been asked to prepare budget proposals which would be examined in Durban. The Assistant Secretary General concluded that it was for that reason that an item had been included to this effect in the Agenda of the Fifteenth Ordinary Session of the Committee of Ambassadors and Other Plenipotentiaries.

47. The meeting was informed that ILO Consultants had submitted their report to the Secretary General only on the eve of the Durban meeting, and that a report prepared following a study carried out by independent consultants did not necessarily reflect the views of the Secretariat, and perhaps, even less those of Member States. It therefore had to be examined by the Secretariat so that amendments, improvements and possible changes could be made where necessary.

48. Thereafter, the Secretariat would put it in the required form and submit it for consideration by the Permanent Representatives' Committee and Experts from all African countries, as was the case for the Rules of Procedure of the Assembly, the Executive Council and the

Permanent Representatives' Committee, and the Statutes of the Commission, and then by the Council of Ministers.

49. The Secretariat, the Assistant Secretary General said, had prepared the present draft Programme Budget to enable it to continue to function and implement certain programmes and activities, stressing that the execution of a two-month budget in terms of expenditure and income, had posed problems particularly with regard to implementation of certain programmes and allocation of contributions to be paid by Member States. The Secretariat had been unable to inform some Member States which recently wanted to know, the amount of their contributions for the 2002/2003 financial year.

50. Following the presentation of the Assistant Secretary General, the Chairman briefed the Committee on the outcome of consultations held earlier on the 2002/2003 draft Programme Budget. He added that although Member States had understood the reasons put forward by the Secretariat, it was difficult for them to approve a draft Programme Budget which was the same as that presented by the Secretariat in December 2001 to the 70th Ordinary Session of the Advisory Committee on Administrative, Budgetary and Financial Matters. He then ruled that the Secretariat should therefore continue to function provisionally, on the basis of monthly supply votes up to 31 December 2002, as was already the case for the months of June and July, pending the determination of the structure of the Commission as a basis for preparing an appropriate draft Programme Budget.

51. Concerning meetings and conferences to be organized during the period, the Secretariat should determine the financial implications for submission to the Advisory Committee for approval. Contributions to be paid by Member States should be calculated on the basis of the amount of the Programme Budget for the 2001/2002 financial year (US\$31,000,000) and for a seven (7) month period (in other words from 1 June to 31 December 2002).

52. Concluding, the Chairman stated that like the Secretariat, Member States were equally aware of the seriousness of the situation, but that there was no other alternative until the structure of the Commission was put in place.

Agenda Item III: ECONOMIC AND SOCIAL MATTERS

1. **Report of the Secretary General on the Implementation of the Treaty Establishing the African Economic Community:**

a) **Progress Report of the Secretary General on the Follow-up to Doha Ministerial Conference WTO – Doc. CM/2249 (LXXVI) – a**

53. That item was introduced by the Assistant Secretary General in-charge of the Community Affairs Department, who recalled the three main documents adopted at the 4th WTO Doha Ministerial Conference, as well as negotiations underway in Geneva to implement the Doha Work Programme. He informed the meeting that WTO member governments had pledged 30 million Swiss Francs for capacity-building programmes and urged Member States to participate fully in such programmes in order to ensure a proper understanding of issues at stake and hence be in a better position to safeguard the interests of the continent at major international negotiations.

54. In their interventions some delegations noted the clarity, pertinence and precision of the issues raised in the document under consideration. However, attention was drawn to the fact that the specific problems of Small Island Developing States (SIDS) had not been mentioned. It was underlined that the Doha work programme was heavier and needed to be completed in a shorter time than that of the Uruguay Round. It was in this context that the issue of enhancing the understanding of issues and building the capacity of Member States to negotiate became crucial. In that context, the Egyptian delegation announced the intention of its government to set up a training center in Egypt, to train African and Arab trade officials, to enable them meet the challenges posed by the WTO work programme. The meeting was consequently informed that funding would be secured partially from the Perez Guerero Fund and partially by the Government of Egypt for the project. The remaining balance would be sought from a third party.

55. The meeting congratulated the Arab Republic of Egypt for its initiative and called upon the OAU Secretariat to follow-up on the project and to present a progress report to the first meeting of the Committee of Permanent Representatives of the African Union. It was also pointed out that training should be carried out at three levels: namely, at WTO Member States level, regional and continental levels with the close involvement of RECs.

56. The meeting stressed the need to strengthen the Geneva office with a highly specialized trade officer as soon as the policy regarding recruitment of staff would allow.

57. The Committee lastly underscored the need for Africa to benefit fully from the exemptions regarding access to the drugs specifically

meant for the treatment of HIV/AIDS and other pandemics, without awaiting a review of the TRIPS Agreement as agreed in Doha.

b) Progress Report of the Secretary General on Preparations for the WTO-Compatible Trade Negotiations under the Cotonou Partnership Agreement
- Doc. CM/2249 (LXXVI) - b

58. The item was presented by the Assistant Secretary General who explained the rationale behind the signature of the Cotonou Partnership Agreement. He informed the meeting about the position of the EU regarding the forthcoming negotiations and highlighted the three main issues to be addressed by the ACP Group; namely, issues that are of common interest to the Group; possible ACP configurations for negotiations, and ACP negotiating capacity needs. He further briefed the meeting on preparatory meetings that are underway at the level of the ACP Group, in order to start the scheduled negotiations in September 2002. In this regard, he recalled the approach contained in the ACP guidelines to the negotiations of Economic Partnership Agreements (EPAs), which recommend that Member States keep in view the following, while negotiating for Economic Partnership Agreements (EPAs):

- (a) negotiations in the WTO which are expected to be concluded by 1 January 2005;
- (b) EU enlargement which is expected to take place in 2004;
- (c) the reform of the EU's Common Agricultural Policy (CAP);
- (d) the review of the EU Generalised System of Preferences in 2004;
- (e) regional integration processes in various ACP regions/sub-regions which are expected in some cases to result in the establishment of customs unions; and
- (f) trade negotiations between some ACP countries and third parties, and between the EU and third parties.

59. In conclusion, the Assistant Secretary General reiterated the call of the Ministers for Member States to participate actively in the current WTO negotiations, so as to press for flexibility of the WTO rules and to make the future EPAs compatible not only with the WTO, but also with the development aspirations of African countries.

60. During the deliberations, delegations underscored the importance of the three issues raised in the document, and stated that

the critical elements in the negotiations of EPAs should be reflected in the on-going integration processes, and backstopped technically for better results. The Secretariat was then requested to add, as an annex to the report, the important aspects of the conclusions of the recently concluded meeting of ACP Ministers of Trade and Finance in Brussels. One delegation pointed out that the difficulties faced by Small Island Developing States (SIDS) had not been highlighted, and that more detailed information could have been provided on preparations for negotiations between the ACP countries and the EU. The meeting underlined the importance of drawing up a common position which would be consolidated at the 3rd ACP Summit in Fiji scheduled for July 2002. The Committee commended the 31 African Member States which had ratified the Cotonou Partnership Agreement and urged those who had not yet done so to ratify it without delay. Finally, it recommended that, since only six out of the fifteen EU Members States had ratified the Cotonou Partnership Agreement, the issue should be raised at the next meeting of the Bi-Regional Group under Africa-Europe cooperation.

c) Progress Report of the Secretary General on the Implementation of the Project on Assistance for the Development of Telecommunications Industry in Africa (INDAFTEL) – Doc. CM/2249 (LXXVI) – c

61. The Assistant Secretary General for Community Affairs presented the progress report beginning with a brief background to the project. In this regard, he underscored the OAU's long-term preoccupation with the development of telecommunications in Africa. He associated this with a number of resolutions, declarations and programmes undertaken by the Organization on its own as well as jointly with partners which included the ITU, ATU, ECA and the RECs aimed at enhancing the interconnectivity and interoperability of the Continental telecommunications network and services. He, in particular, referred to the Council resolution in the mid-eighties, CM/Res.902 (XXXVII), which called upon the ITU and UNIDO to support PATU, the predecessor of ATU, in its efforts to promote the establishment of telecommunications industry in Africa.

62. He, as well, referred to the inclusion of the project in the first and second United Nations Transport and Communications Decade programmes for Africa (UNTACDA I & II) which were implemented between 1978 and 2000. Furthermore, he mentioned the existence of provisions related to the project in such important documents as the Lagos Plan of Action and the Treaty establishing the African Economic Community among others.

63. The Assistant Secretary General then spoke on the lengthy delay in the implementation of the project which was mainly caused by lack of financial resources. Fortunately, the problem was resolved in the late 1990s when ITU managed to secure some funds to enable the commencement of the project. He further mentioned that an Inter-agency Coordinating Committee (IACC) had been formed to steer the implementation of the project at the continental level. The Committee is chaired by the OAU and composed of the ECA, as Vice-Chairman, the ITU, as the lead executing agency, and UNIDO, RASCOM and ATU as members. He also referred to the need for Member States to appoint national focal points to spearhead implementation at national level and augment the efforts of the IACC.

64. The Assistant Secretary General went on to underline the importance of this project as a solution to the problem of the high cost of importation of telecommunications equipment and products for the development, rehabilitation, modernization and maintenance of telecommunications infrastructure and services in Africa. This factor is especially critical given the scarcity of foreign exchange resources and the heavy external debt burden currently assailing the Continent. He finally requested the Committee of Ambassadors to endorse the recommendations put forward in the report for adoption by Council.

65. In discussing the report, the delegations acknowledged the critical importance of the project to the development of Africa. They thanked the General Secretariat for its efforts and requested that in the course of implementing the project, priority should be given to African private companies. They also requested that the detailed project document be made available to Member States in order to enable them to have a comprehensive picture of the project and the role they are expected to play in it. They urged all Member States to support the recommendations outlined in the report and endeavour to make the project a success.

66. The progress report was finally adopted as presented including the following recommendations that the Council should:

- a) Welcome the initiative taken by the ITU to launch the project on Assistance for the Development of Telecommunications Industry in Africa (INDAFTEL);
- b) Urge the ITU to continue to provide support to the project through, among others, allocating more resources for the implementation of the project;

- c) Appeal to all Member States to support the project and actively participate in its implementation by appointing national focal persons and allocating resources for the work of the national focal persons;
 - d) Endorse the establishment of the Inter-Agency Coordinating Committee composed of the OAU as Chairman, the ECA as the Vice-Chairman, the ITU as the Lead and Executing Agency, and with UNIDO, ATU, RASCOM and the RECs as members, and entrust it with the responsibility of supervising and monitoring the implementation of the project;
 - e) Further appeal to Africa's development partners to support the project and to provide resources for the implementation of the project;
 - f) Request the Secretary General of the OAU to consult with the Advisory Committee on Administrative and Budgetary and Financial Matters with a view to allocating resources as the contribution of the OAU to the funding of the implementation of the project.
- d) Progress Report of the Secretary General on the Follow-up on the Abuja Declaration and Framework Plan of Action on HIV/AIDS, Tuberculosis and other related Infectious Diseases in Africa – Doc. CM/2249 (LXXVI) – d**

67. The Report was presented by the Assistant Secretary General in charge of the Community Affairs Department. Recalling the objectives of the African Summit on HIV/AIDS, Tuberculosis and Other Related Infectious Diseases, held in Abuja, Nigeria in April 2001, he drew the attention of the Meeting to the commitments enshrined in the Abuja Declaration and Framework Plan of Action which were adopted by the Summit. He then briefed the meeting on the mechanism developed by the Summit Bureau and the OAU, in collaboration with relevant UN Agencies and Regional Economic Communities for monitoring and reporting on the Implementation of the Framework Plan of Action. The Assistant Secretary General then commended the efforts of Member States in implementing their respective National strategic Plans, and encouraged them to access and utilize the Global Fund to fight AIDS, Tuberculosis and Malaria (GFATM). He noted the role of the International partnership against AIDS in Africa (IPAA) and its implementation by Member States.

68. On the worsening situation of Tuberculosis, the Assistant Secretary General highlighted the need for all Member States to provide integrated health services, following the guidelines advocated by the WHO. He concluded his remarks with a brief on the detailed Annual Report on HIV/AIDS, TB and Malaria which has been prepared jointly by the OAU, ECA, UN AIDS, and WHO on the theme "Leadership Commitment for Better Health" and which would be disseminated widely for reference.

69. In the ensuing discussions, the OAU was commended for the work it had been doing and the high quality of the Report, although the coverage of the epidemiological data in Member States was not comprehensive. Member States reported on the activities they had undertaken to implement the Summit outcome, and some were duly commended for keeping the HIV/AIDS prevalences low. The efforts of WHO in promoting Health in Africa were commended.

70. The meeting endorsed the report and the recommendations contained therein. Further recommendations were made as follows:

- i) the integrated approach to health services should be adopted in the control of HIV/AIDS, Tuberculosis, Malaria and Other Diseases that scourge Africa. AIDS control should, in other words, not be at the expense of other dangerous diseases.
- ii) Statistics from all African countries should be incorporated in order to have a comprehensive data;
- iii) More resources should be mobilized at national and international levels;
- iv) Regional (South to South) Cooperation should be strengthened;
- v) Affordable, life prolonging drugs should be made available;
- vi) AIDS prevention and research into the underlying causes of AIDS should be emphasized;
- vii) The rights of those affected by HIV/AIDS should be respected;
- viii) Strategies to fight poverty should be put in place;

- ix) The African countries that are among the Coordinators of the GFATM should facilitate Africa's access to the Funds in order to supplement local resources;
 - x) Efforts should be intensified to mobilize communities and the Private Sector;
 - xi) Member States were encouraged to report on their programmes and share information;
 - xii) The UNAIDS and OAU were requested to play a bigger role in negotiations with multinational corporations to improve access to drugs through price reduction;
 - xiii) The OAU was urged to promote the utilization of the Mechanism for Monitoring and reporting by Member States.
- e) Report of the Secretary General on Progress being made in the Implementation of the Abuja Declaration and Plan of Action on Roll-Back Malaria (RBM) – Doc. CM/2249 (LXXVI) – e**

71. The Report was introduced by the Assistant Secretary General in charge of the Community Affairs Department who first recalled the Special Summit on Roll Back Malaria (RBM) which was held in Abuja, Nigeria in April 2000. He then underlined the commitments in the Declaration and Plan of Action which were adopted by the Special Summit and the subsequent ordinary Assembly of Heads of State and Government the same year. On the disease burden, principles and strategies of RBM, the Assistant Secretary General said that effective management entailed focus on community and private sector mobilization as well as sustainable and appropriate health system responses. He then described the actions that have been undertaken at national and international levels to implement the RBM strategy including, political commitment, community-based interventions, baseline data monitoring and evaluation and marking the Africa Malaria Control Day. Among the constraints to this process, he noted the failure to include operational research as one of health sector reform priorities. He further noted that the OAU and WHO Offices for Africa and Eastern Mediterranean had followed up the implementation of the Declaration and Plan of Action as mandated

72. This agenda item was discussed concurrently with the one on HIV/AIDS, Tuberculosis and Other Related Infectious Diseases, because together, these problems constitute the major causes of morbidity and mortality in Africa. Emphasis was laid on the need to

adapt the integrated approach in disease control and poverty reduction. Research on resistance to, and side effects of drugs was recommended, with a view to identifying the most effective and safe drugs. It was reiterated that focus should be laid on the most vulnerable groups: children and mothers.

73. The Report and the recommendations contained therein were then endorsed.

f) Progress Report of the Secretary General on the Implementation of the Programme of Action of the Education Decade in Africa – Doc. CM/2249 (LXXVI) – f

74. Introducing the above Report, the Assistant Secretary General in charge of the Community Affairs Department highlighted the fact that the Secretariat had opted to rely on the Regional Economic Communities and other appropriate regional structures to implement the Decade. He also referred to some of the initiatives undertaken at various levels. The Assistant Secretary General further gave an account of the conclusions of the Second Ordinary Session of the Decade's Steering Committee, which he said had helped to remove some of the difficulties hampering implementation of the Decade.

75. After the presentation, one delegation, among other things, welcomed the establishment of the African Academy of Languages; and in that connection, expressed the hope that the Centre for Linguistic and Historical Studies by Oral Tradition (CELTHO) – OAU Regional Office based in Niamey, Niger – would be associated with the activities of the Academy.

76. The Committee then took note of the Report.

2. Report of the Secretary General on progress made in the Implementation of the Summit Decision on the Eradication of Tsetse Flies from Africa – Doc. CM/2250 (LXXVI)

77. In his presentation of the Report of the Secretary General on: **“The Progress made in the Implementation of Summit Decision AHG/Dec.156 (XXXVI) on the Eradication of Tsetse Flies from Africa”**, Ambassador Agubuzu, Assistant Secretary General, Community Affairs Department, listed the activities that had been initiated by some Member States and the Secretariat in pursuit of the objective of rendering Africa tsetse-free.

78. These included the preparation of a Plan of Action for the implementation of the Summit Decision, the launching of the Pan African Tsetse and Trypanosomiasis Eradication Campaign (PATTEC), the establishment of a PATTEC Coordination Office at the OAU Secretariat, the inauguration of a PATTEC Policy and Mobilization Committee to oversee the needs and policies of the campaign, the discussions with the Government of the Federal Democratic Republic of Ethiopia on the establishment of a Regional Centre for Tsetse Eradication in Addis Ababa, the support and consensus generated from the mandated international organizations (notably IAEA, WHO and FAO) on the PATTEC initiative.

79. In the ensuing discussions, delegates welcomed the report and decried the negative effects and impact of tsetse-transmitted diseases on the health and productivity of man and domestic animals, recognizing the problem as a serious constraint to Africa's socio-economic development. The efforts of those countries that have initiated tsetse eradication activities as well as the assistance and cooperation of the international community, in particular the International Atomic Energy Agency and the World Health Organization to Member States and the Secretariat towards achieving the objectives of the PATTEC initiative were commended. The trans-boundary nature of tsetse-transmitted diseases was highlighted and the need for all Member States to act collectively and expeditiously, sharing experiences and creating synergy in the execution of the tsetse eradication campaign was emphasized.

80. The meeting noted the inadvertent omission of a budgetary provision for tsetse eradication activities in the Draft OAU Budget which had been submitted and agreed that an amount of US\$270,000.00 – being funding for these activities be included in the OAU Budget.

81. The recommendations made in the presented report were also supported.

Agenda Item IV: LEGAL MATTERS

1. **Report of the Secretary General on the Status of OAU Treaties – Doc. CM/2251 (LXXVI)**

82. In introducing the document, the representative of the General Secretariat stated that the Report on the Status of OAU Treaties had been presented at each Session of Council, since 1997, for purposes of information, as well as for sensitising Member States on the need to sign and ratify the treaties adopted under the aegis of the OAU. He

underlined that the Report gave the status of signature and ratification, as at 1 May 2002, and went on to indicate the following changes which had occurred since the preparation of the report:

i. The Constitutive Act of the African Union

The Republic of Congo ratified the Act on 18 February 2002 and deposited the instrument of ratification with the General Secretariat on 29 May 2002.

ii. OAU Convention on the Prevention and Combating of Terrorism

Guinea signed the Convention on 19 June 2002.

Cape Verde ratified the Convention on 3 May 2002 and deposited the instrument of ratification with the General Secretariat on 26 June 2002.

Rwanda ratified on 29 April 2002 and deposited the instrument of ratification on 14 May 2002.

iii. The Convention of the African Energy Commission

Mauritius and The Sudan signed the convention on 23 May 2002 and 3 June 2002 respectively.

iv. The African Civil Aviation Commission Constitution

Namibia ratified the constitution on 12 March 2002 and deposited the instrument of ratification with the General Secretariat on 10 May 2002.

v. The African Charter on the Rights and Welfare of the Child

Sierra Leone ratified the Charter on 13 May 2002 and deposited the instrument of ratification with the General Secretariat on 18 June 2002.

83. The Representative of the General Secretariat drew attention of the Committee to the status of a number of treaties, including the Constitutive Act of the African Union, pointing out that five Member States, namely, Democratic Republic of Congo, Guinea, Guinea Bissau, Madagascar and Mauritania had not ratified the Act and were, therefore, not members of the African Union. He also pointed out that

seven (7) Member States had not ratified the Treaty Establishing the African Economic Community. On the Protocol relating to the Pan African Parliament, he drew attention that only three Member States had ratified it, since its adoption in March 2001. On the Terrorism Convention, he drew attention to the fact that it was not far from entering into force, since twelve States had ratified, and it required 15 ratifications to come into force.

84. In the discussions that ensued after presentation of the report, the meeting made the following observations:

- the Committee congratulated the Secretariat for the excellent quality of the Report and the presentation;
- on the issue of non-ratification of the Constitutive Act, the delegation of Mauritania indicated that it had ratified the Act and forwarded the instrument of ratification to the General Secretariat. In response, the representative of the General Secretariat confirmed that the instrument had not been received at the Headquarters;
- on this issue of non-ratification, a number of delegations expressed the view that the provisions of the Constitutive Act should be implemented strictly and that non-members should not have any rights, such as participating in AU meetings, taking the floor, voting, serving on the Bureau, etc. Other delegates stated that since those countries were members of the OAU and the assets and liabilities were being transferred to the AU, they should be allowed to attend the Inaugural Session of the AU as observers. Others argued that having signed the Constitutive Act, these countries were already members.

85. In response to a request for a legal opinion, the Acting Legal Counsel explained that the Member States concerned had not ratified or acceded to the Act and were therefore not bound by the provisions of the Act. Further, as non-members of the African Union, they did not have any rights or obligations under the Constitutive Act.

86. At the end of the debate, the Committee noted that, in accordance with the legal interpretation, that Member States that had not ratified the Constitutive Act were not Members of the Union and were not entitled to participate in Meetings of the Union. However, considering the historic nature of the inaugural Session of the African Union in Durban, and the fact that all the Member States concerned were already signatories to the Act and had been invited to attend the

inaugural Session, the Committee recommended to Council to consider a political solution as opposed to a legal one. Accordingly, Council may consider inviting the five Member States as prospective members.

87. On the Protocol relating to the Pan African Parliament, the delegation of South Africa stated that its parliament had authorized ratification of the Protocol and that the Honourable Minister would be depositing the instrument with the Secretary General during the current Session of the Council.

88. The Committee recommended that the process of negotiating conventions relating to Corruption, Extradition and to Mutual Legal Assistance in Criminal Matters as well as a Protocol on Women's Rights should be completed as soon as possible.

89. The Committee noted that a number of Member States had been inadvertently omitted from the list of countries that had signed the Terrorism Convention, whereas they had signed it. These were: Burkina Faso and Guinea. Additionally, Tunisia had been omitted in some of the French and Arabic versions of the Report, from the list of countries that had ratified the Convention.

90. On the Convention of the African Energy Commission, it was confirmed that two countries had signed it and had been omitted from the list, namely, Mauritius and The Sudan.

91. The Committee expressed concern that some Member States had not ratified the treaties that were non-controversial, such as the AEC Treaty. It, therefore, called upon all Member States to expedite the process of signing and ratifying the treaties adopted under the aegis of the OAU.

92. At the end of the debate, the Committee of Ambassadors and Other Plenipotentiaries took note of the Report and decided to transmit the above recommendations to Council for consideration.

2. **Progress Report of the Secretary General on the Review of OAU Treaties – Doc. CM/2252 (LXXVI)**

93. In introducing the Report, the representative of the General Secretariat stated that the Report was divided into two parts; the first part recalls decision CM/Dec.511(LXXI) adopted by the Council of Ministers, on the Proposal of the Republic of South Africa, during its 71st Ordinary Session held in Addis Ababa, Ethiopia from 6 to 10 March 2000, on the need to undertake a systematic review of all treaties, whilst the second part indicates action taken and makes a proposal on the way forward.

94. He stated that the study had been completed and was being reviewed at the Headquarters through an interdepartmental process. He informed the meeting that the Secretariat intended to submit the study to all Member States inviting their comments and observations within a specified period. Thereafter, a meeting of government experts will be convened.

95. In the discussions that followed, delegations emphasised the importance of the exercise and the need for it to be completed as soon as possible. At the end of the discussions, the General Secretariat was requested to ensure that the First Ordinary Session of the Executive Council was in a position to consider the recommendations contained in the study on the basis of advice from a meeting of governmental experts to be convened prior to that session.

Agenda Item V: **CONSIDERATION OF THE DRAFT AGENDA
OF THE 76TH ORDINARY SESSION OF THE
COUNCIL OF MINISTERS**

96. In submitting this item, the Chairman drew the attention of the Committee to two points, namely: account of the progress made in Dakar and New York meetings held on 19 October and 11 November 2001 respectively, on the Convention on Terrorism, and the forthcoming Conference on the Convention on the Conservation of Nature and Natural Resources in Africa. With regard to the first point, the Committee was briefed on efforts deployed to organize a meeting of Senior Officials of Member States scheduled to take place in Algiers, Algeria from 3 to 6 June 2002 to examine the possibility of preparing a draft protocol and a plan of action on the implementation of the said Convention. However, that meeting could not take place as planned on account of the inadequate responses received from Member States. In that connection, the delegation of Senegal explained that it had thought of requesting the inclusion of this item on the agenda but declined to do so because of the proposed Algiers meeting. The Committee was also informed that the Algerian Minister of Foreign Affairs would make a statement to the Council under Any Other Business. To that end, the Secretariat was requested to continue with its efforts towards facilitating the convening of the Algiers meeting in September 2002 as planned.

97. On the second point, the Chairman intimated that it would be discussed by the African Ministers of Environment at the meeting scheduled to take place in Kampala from 1 to 4 July 2002, adding that the Heads of State would address the issue of NEPAD on that occasion. He proposed that Council should urge the Conference of

Ministers of Environment to adopt a well-structured and harmonious common position.

98. Reacting to the issue of deadlines set out for Member States to submit items under Items Proposed by Member States, the Assistant Secretary in charge of Conferences and Communications recalled that the time frame was one month and that all items should be submitted together with the relevant working documents. The Secretariat further informed the meeting that Member States which had the proposed 6 items had complied with the set deadline.

99. Regarding the proposal by one delegation to the effect that a decision should be adopted on the financing of UNCCD from the Global Environment Facility, the Committee decided to take note of this important proposal and recommended that the Council of Ministers consider taking a political decision on this issue of vital interest to Africa, and adopt recommendations for submission to the World Summit on Environment and Sustainable Development due to be held in Johannesburg from 26 August to 4 September 2002.

100. Before closing the debate on this item, the Committee recommended that the Secretariat prepare an Addendum to the Introductory Note of the Secretary General highlighting the efforts deployed towards organization of the Fifth meeting of the Bi-Regional Group of the Africa-Europe Summit.

101. Lastly, the Committee recommended that the agenda as proposed be submitted for consideration by the Council of Ministers.

V. ANY OTHER BUSINESS

102. The Togolese delegation raised the issue of the composition of the NEPAD Implementation Committee, recalling that a decision has been taken that the Committee would be made up of the Five Initiating countries and 10 other States chosen from the various regions according to a set distribution criteria. He expressed the hope that for West Africa a system of rotation would be put in place to enable all the States of the region to make their contribution. He therefore, recommended that the Committee of Ambassadors should propose to Council to adopt a rotational system with practical modalities in terms of the mode of selection and duration of mandate, among other things.

103. The Committee took note of that statement, bearing in mind that each region should carry out appropriate internal consultations in order to fill the positions to be assigned to it.

104. The Committee then heard the presentation of Ambassador Abdelatif Gueye Chairperson of the “Africa Assists Africa” Association, which enjoys Observer Status with the OAU. Ambassador Gueye indicated that his Organization was now represented in several African countries, and was engaged in providing relief assistance to victims of natural disasters and floods, and also to displaced persons, HIV/AIDS victims, school children in conflict areas, etc. He further stated that his Organization preferred to operate with discretion and also with transparency far from the usual din exhibited by some overzealous humanitarian organizations. The Ambassador requested the OAU for token financial support to sustain its activities.

105. The Committee took note of this presentation with appreciation and encouraged the Organization to persevere in its humanitarian endeavours.

VII. ADOPTION OF THE RAPPORTEUR’S REPORT

106. During adoption of the Report, the Chairman informed the Committee that he had attended a meeting on Women in Durban at which an appeal was made to the OAU to fully associate African women with the building of the African Union. The Secretary General in turn informed the Committee that during his recent visit to Windhoek, Namibia, he had been approached by a group of women who reiterated the same request.

107. The delegation of The Sudan said that its country had only one staff member within the professional category of the OAU General Secretariat and appealed to the latter, in the spirit of transparency and objectivity, to promote the said staff in view of his competence. Replying, the Assistant Secretary General in charge of Administration and Finance provided clarifications on the procedure followed with regard to this specific case. He recalled the insistence of the Advisory Committee to freeze recruitments and filling of vacant posts until further notice, and stated that the case of that staff member could not be handled in isolation..

108. The Chairman called on the representative of The Sudan to get in touch with the Secretariat to find an appropriate solution to this issue.

109. Concerning the presence or absence of observers at the Special Session of the Council devoted to consideration of the texts of the key organs of the African Union, the Committee after an exchange of views, decided to refer the matter to Council in view of the nature of the issues to be discussed.

110. After consideration of the report presented by the Rapporteur, the Ambassador of Lesotho in Addis Ababa, and following a few amendments, the Committee of Ambassadors and Other Plenipotentiaries adopted its Report on 30 June 2002.

CLOSING SESSION

111. In his brief closing address, the Chairman thanked all the delegations for their meaningful contributions to the deliberations of the session and expressed satisfaction at the spirit of cooperation and serenity which had greatly facilitated the conduct of the proceedings. On behalf of the Committee, he also expressed his gratitude to the Secretary General and his staff, the technical staff and the staff of the host country for their dedication throughout the session. The Chairman reiterated the gratitude of the delegations to the host country, South Africa, for the excellent facilities provided.

112. The Secretary General took the floor to thank all the delegations for the remarkable work accomplished during the session and expressed his gratitude for the contribution of Member States to the establishment of the African Union. Following these remarks the Chairman declared the 15th Ordinary Session of the Committee of Ambassadors and Other Plenipotentiaries closed.

**QUESTIONS RAISED BY THE COMMITTEE ON THE REVIEW OF
CONDITIONS OF SERVICE OF STAFF OF THE GENERAL
SECRETARIAT**

- Question 1 - Is the study based on only South Africa?
- Question 2 - The Secretariat should provide information on the Cost of Living Index at the Headquarters and Regional Offices so as to justify the requested increment during the session of the Council of Ministers.
- Question 3 - What are the financial implications by grade that the 15% increase will have on the whole Budget?
- Question 4 - What will be the financial implications this increment will have on the implementation of various programmes in the current Budget?
- Question 5 - Has an evaluation of staff been done for justifying the salary increase in the context of African Union's mandate?
- Question 6 - Has an evaluation been done for selecting staff members who deserve such increment from those who don't deserve?
- Question 7 - What is the number of the different categories of staff members who deserve salary increment?
- Question 8 - What is the percentage of salaries and benefits for the General Secretariat in the current Budget vis-à-vis African Union's Budget?
- Question 9 - Has the General Secretariat carried out a staff evaluation based on the UNDP report and the proposed Reform of ILO?
- Question 10 - Has the Secretariat taken into account the recommendations of the Addis Ababa meeting in March 2002?

- Question 11 - Why should the Secretariat rush in the adoption of a new salary scale without a proper staff evaluation in the context of African Union?
- Question 12 - If the salary increase is adopted, what are the consequences for the absorption of the current staff in the new structure of the African Union?
- Question 13 - The Secretariat should propose an appropriate method of staff evaluation as was done by the Hay Management?
- Question 14 - What is the percentage of the regular Budget, which will be allocated to administrative expenses vis-à-vis other activities?
- Question 15 - The Study should provide analytical information to the Committee on the percentages of both staff emolument and various programmes implementation in the OAU/AU Budget?
- Question 16 - A detailed and comprehensive study should be done to enable the proper launching of the African Union?
- Question 17 - Does the increment relate to any voluntary departure/retrenchment?
- Question 18 - What are the financial implications, this increment will have on the voluntary departure, termination and those absorbed in the new structure?

