

COUNCIL OF MINISTERS
Seventy-Sixth Ordinary Session/
Eleventh Ordinary Session of the AEC
4 – 6 July 2002
Durban, South Africa

CM/Rpt (LXXVI)

REPORT OF THE SEVENTY-SIXTH ORDINARY
SESSION OF THE COUNCIL OF MINISTERS

**REPORT OF THE SEVENTY-SIXTH ORDINARY SESSION
OF THE COUNCIL OF MINISTERS**

I. INTRODUCTION

1. The seventy-sixth Ordinary Session of the Council of Ministers/Eleventh Ordinary Session of the African Economic Community was held at the International Convention Centre, Durban, South Africa from 4 to 6 July, 2002. The Guest of honour at the opening ceremony was Mr. Jacob Zuma, Deputy President of the Republic of South Africa.

2. The following Member States participated in the Session: Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Comoros, Congo, Côte d'Ivoire, Democratic Republic of Congo, Djibouti, 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, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, Sudan, Swaziland, Tanzania, The Gambia, Togo, Tunisia, Uganda, Zambia and Zimbabwe.

3. The following Regional Economic Communities attended the meeting: CENSAD, COMESA, ECCAS, ECOWAS, IGAD and SADC. The East African Community (EAC) and ECOWAS Parliament were also represented.

4. The following African and non-African Organisations also attended the meeting: ADB, ECA, ILO, IOM, FAO, UNDP, WIPO, ARI, ITU, OATUU, AFCAC, AAA, IPED, FEPACI, UN/OHRLLS, ICRC, UNCCD, ICFTU-AFRO, SCSA, UNESCO, LAS, AFRAA, ICAO, UNFPA, OIF, ATU, OPCW, the Commonwealth, PYM, WTO, UNHCR, UNHCHR, UNICEF, UNAIDS, WHO and UNEP.

(a) Opening Ceremony

5. The opening ceremony was presided over by Mr. Cheik Tidjane Gadio, Minister of Foreign Affairs of the Republic of Senegal, in his capacity as the Chairman of the Bureau of the 75th Ordinary Session of the Council of Ministers. After calling the meeting to order, he invited the guest of honour, Mr. Jacob Zuma, Deputy President of the Republic of South Africa, to formally open the 76th Ordinary Session of the Council.

Opening Statement of Mr. Jacob Zuma, Deputy President of the Republic of South Africa

6. In his opening statement, Mr. Jacob Zuma, Deputy President of the Republic of South Africa and Guest of Honour, extended a warm welcome to all the Ministers and their delegations to Durban and South Africa, on the eve of the 38th OAU Summit and the launch of the African Union. Recalling the immense support extended to the freedom struggle in the Southern region, the Vice-President expressed the delight his country to host the Council and Summit of the OAU; which had always constituted a source of great hopes for the African people. The birth of the African Union therefore, should be a continuity in terms of the objectives of the Pan African movement that had been the origin of the OAU.

7. Referring to the primary objectives that had prompted the establishment of the OAU (end to colonialism and apartheid; African unity and solidarity) the Vice-President affirmed that the OAU had registered great achievements in that regard. However, the foundation that had been laid by the OAU needed to be consolidated, in order to enhance the continent's effort in facing the challenges of the present time, in particular, conflicts and globalization.

8. On the conflict situation in certain regions of the continent, the Vice-President referred to the progress and positive developments in the Democratic Republic of Congo, Angola and Burundi; and urged that more effort be devoted to dealing with the other remaining conflicts, including Madagascar on which the OAU had taken a landmark decision. Such effort should emphasize the need to strengthen the democratisation process and good governance throughout the continent.

9. Vice-President Zuma then turned to the issues of social and economic development and expressed concern over the widening gap between the rich North and poor South, which had been exacerbated by globalisation. The low and declining levels of income in the South, particularly in Africa, coupled with its low percentage share in world trade pointed to the need for the developed countries to take urgent measures to tackle the critical constraints impeding Africa's development; in particular debt cancellation, increased resource flows (ODA and FDI) and access to markets and technologies.

10. It was in that context that the Vice-President referred to NEPAD (a programme of the African Union) as constituting a comprehensive response to the challenges facing Africa, with the objective of accelerating the achievement of sustained socio-economic

development, which the African Union has been established to promote.

11. Mr. Zuma then outlined the salient features of NEPAD, and indicated the participation of the Civil Society Organizations, as well as the involvement, support and commitment of the G8 to the programme.

12. In conclusion, Vice-President Zuma commended African leaders for their role in promoting NEPAD in and outside the continent, and the commitment they have secured from the G8; particularly to tackle Africa's debt, including cancellation, as well as HIV/AIDS pandemic; support for the democratization process and good governance, peace and stability throughout the continent. He affirmed that with the African Union and good leadership, there was a firm foundation for a great African future.

Response by Mr. Ali Said Abdalla, Minister of Foreign Affairs of the Republic of Eritrea

13. In his reply, Mr. Ali Said Abdalla, Minister of Foreign Affairs of the Republic of Eritrea, on behalf of Council, expressed his gratitude to the Government and people of South Africa for the warm welcome and hospitality extended to all the delegations since their arrival in Durban, as well as for the excellent facilities provided which, he said, not only reflected the level of remarkable technological development achieved by South Africa, but also testified to its commitment to provide an enabling environment for this all-important meeting.

14. The Minister also expressed, on behalf of all his colleagues, his thanks and profound gratitude to H.E. Cheick Tidane Gadio, Minister of Foreign Affairs of the Republic of Senegal and outgoing Chairman, for the able manner in which he had steered the deliberations of the Council. He paid tribute to his capacity to face up to all the challenges in the interest of the unity of Africa, adding that the 76th Session of the Council of Ministers was of vital importance in that it was taking place on the territory of South Africa, known for its heroic struggle against colonialism and apartheid, culminating in its accession to independence about a decade ago. He called on the other peoples of Africa to draw lessons from the South African experience, in their struggle to regain their human dignity.

15. The Minister further stated that the 76th session of the Council devoted to the launching of the African Union must lay the foundations for addressing the numerous challenges that Africa must continue to face, such as peace, security, unconstitutional changes of

government, fight against pandemics and called on all countries for collective action.

16. Recalling the heroism of the people of South Africa and their efforts to promote unity and reconciliation, Honourable Ali Said Abdalla appealed to the African youth to take up the challenges and consolidate the foundations laid, thanks to the vision of the founding fathers of the OAU and the sacrifice made by Africans in their struggle against domination.

17. Referring to the issue of the African Union, the Minister said that it provided all possible hopes for the Continent to get rid of the problems of poverty and disease. He called on his colleagues to be firm in that objective of the African Union and reaffirmed his country's commitment to spare no effort to ensure respect for Africa's dignity. In this connection, he informed Council of the imminent resolution of the crisis between Ethiopia and Eritrea through a peaceful, legal solution. He thanked the Organization of African Unity, the United Nations, the European Union and the international community for their efforts towards the settlement of that conflict. He appealed to them to persevere in their efforts with a view to implementing the decision effectively.

18. Concluding, Mr. Ali Said Abdalla referred to the happy coincidence between the 76th session on the launching of the African Union and the commemoration of the 90th Anniversary of the African National Congress (ANC) and availed himself of the opportunity to congratulate the leaders and members of that movement.

Statement by H.E. Mr. Amara Essy, Secretary General of the Organization of African Unity

19. Mr. Amara Essy, OAU Secretary General first of all thanked the outgoing Chairman of Council for his support to the General Secretariat in the implementation of the Lusaka Decision. He also expressed his gratitude to the Government and people of South Africa for the warmth of their hospitality and for the excellent facilities placed at the disposal of the Secretariat to ensure the success of the various OAU meetings.

20. With regard to the activities carried out by the General Secretariat during the period under review, Mr. Amara Essy gave an overview of the political issues addressed and the efforts deployed to find solutions to the numerous problems confronting the continent. He briefed Council on the democratic elections in The Comoros, which was the crowning achievement of the reconciliation process initiated by

the OAU. In that connection, he hailed the presence of Mr. Mohamed Souef Amir at the Council and thanked the countries of the region and all OAU partners, for their contribution to the settlement of the Comorian crisis.

21. Mr. Essy then recalled the principles that had guided the OAU in its search for a solution to the crisis in Madagascar, while referring to the position taken by the Central Organ which had recommended a commitment, on the part of the leaders of Madagascar, to find ways and means of peacefully resolving the crisis. With respect to the Democratic Republic of the Congo, the Secretary General commended the Government of that country, and all the Parties concerned, for their commitment to implement the Lusaka Ceasefire Agreement. He further commended Sir Ketumile Masire, the Facilitator of the Inter-Congolese Dialogue, and the South African Government for its political commitment and financial support. He assured the Council that the General Secretariat, in collaboration with the Facilitator, and the Parties, would continue to work tirelessly towards a solution to the other outstanding problems.

22. The Secretary General then recalled the insurgency and destabilizing campaign being waged against the people of Liberia by the Liberians United for Reconciliation and Democracy (LURD). He detailed the actions carried out by the General Secretariat in that regard, and called upon Council to appeal to the United Nations Security Council to lift the sanctions imposed on Liberia. He then referred to the situation in The Sudan, Somalia, Burundi, Central African Republic and the Republic of Congo as highlighted in the Introductory Note. With regard to the democratisation process, Mr. Essy commended the people of Mali and Sierra Leone for holding democratic elections, in their respective countries. He called upon to Member States and donors to extend maximum support towards the reconstruction of Sierra Leone.

23. With regard to enhancing the socio-economic development on the continent, the Secretary General recommended the greater involvement of the youth and women in that endeavour. After enumerating the economic and social problems facing Africa, Mr. Essy welcomed the advent of NEPAD as a programme of the Union, initiated by Africans for Africans. He informed Council of various meetings organised within the context of that Programme, stating that the NEPAD Heads of State and Government Implementation Committee would meet in Durban, before the Assembly of Heads of State and Government.

24. The Secretary General also addressed issues related to the pandemics ravaging the continent, especially HIV/AIDS, Tuberculosis and Malaria, and reviewed the efforts being made to adopt a collective approach in the search for remedies to these diseases. He further briefed Council on the Ministerial Conference on Employment Promotion and Poverty Alleviation in Africa, organised at the invitation of the Government of Faso.

25. Mr. Amara Essy expressed satisfaction at the results of the Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA) as well as the OAU/Civil Society Conference. Concluding, he commended the Governments of South Africa and Nigeria for making a generous financial contribution of US\$500,000.00 each, in support of the CSSDCA programmes and called upon other Member States to contribute towards the realisation of these programmes.

Statement by Mr. K.Y Amoako the Executive Secretary of the Economic Commission for Africa

26. The Executive Secretary of ECA, H.E. K.Y. Amoako outlined the progress made by Africa at major development events and meetings over the past twelve months. In particular, he highlighted the outcome of the Doha WTO meeting where hard work and excellent preparation by Africa had paid off. There were pro-development achievements on Public Health issues, and on trade-related intellectual property rights. There was progress on agricultural trade, despite serious slippage, due to huge new US subsidies to its wealthy farmers. He noted that Africa however had made little headway on textiles and that environmental and hygiene standards had to be resolved. Although the results at Doha were mixed, he said they were a lot better than many previous WTO meetings.

27. The Executive Secretary further stated that in Monterrey, there had been further progress as the developed and developing country leaders had agreed that the highest priority for developing countries was good governance. They agreed that those economies had to be part of the global system, and that aid should be of a higher quality. They also agreed that additional resources, estimated by experts at \$50 billion per year, should be provided to meet the Millennium Development Goals.

28. Council was informed that both the European Union (EU) and the United States of America (USA) had made commitments to increase their aid levels by a combined total of \$12 billion per year, to meet the goal of \$50 billion. Though inadequate, the increase marked a reversal

of aid trends. On Africa's share of this increase, Mr. Amoako referred to the G8 Summit in Canada where the G-8 leaders had agreed that under conditions of good performance, Africa could expect half of the increase, bringing the Continent's aid back to 1990 levels.

29. Mr. Amoako then highlighted the progress represented by the adoption of a G-8 Africa Action Plan as a framework to support NEPAD. Under the Plan, the G-8 has agreed that each of them would establish enhanced partnerships with countries "*whose performance reflects the NEPAD commitments*". They have also agreed on a goal for duty-free and quota free market access for all products originating from the Least Developed Countries (LDCs), many of which are in Africa. They have added \$1 billion to fully fund the Highly-Indebted Poor Countries (HIPC) Trust Fund and agreed to increase the use of grants, rather than loans, for the poorest debt-vulnerable countries. The G-8 has also agreed to finish work on a joint plan with Africa by 2003 to develop African capabilities to undertake peace support operations, including at the regional level.

30. The Executive Secretary also looked forward to the Johannesburg World Summit on Sustainable Development, which would deal with measures to accelerate implementation of the environmental agenda, established in the Rio Summit a decade ago, and the achievement of the Millennium Development goals for human development adopted at the Millennium Summit. He stressed that sustainable development was the merger of human well-being and natural resource stewardship, and that Africa's stakes were highest in the upcoming Summit because its sustainability issues were more acute than other regions.

31. The Executive Secretary then drew attention to the negative trends that could affect the achievement of the poverty reduction, education and health Millennium Development Goals (MDGs), especially those emanating from HIV/AIDS and the degradation of the environment and climate. He called for commitment from key governments to back the Kyoto Climate Change and other vital agreements. He also called on Africa to work hard to reverse very serious environmental damage affecting Africa's precious resources.

32. Finally, the Executive Secretary offered his views on the post Johannesburg agenda. He stressed that NEPAD was not about increasing the continent's external dependency but about greater self-reliance if Africa was to make it work. He stressed the importance of Governance in the NEPAD Programme, and highlighted the NEPAD Declaration on Democracy and Governance as a far-reaching and powerful statement. He pointed out that the challenge was in the

implementation. He was appreciative of the African Peer Review Mechanism proposed by the NEPAD Implementation Committee for a periodic review of political, economic and corporate governance status in Member States. As a self-monitoring mechanism for collective action and mutual learning, Mr Amoako was confident that it would foster an enabling environment for the private sector, with the potential to unlock resources from this sector to generate economic growth and help overcome poverty. He was also confident that by demonstrating that Africans had the political will, and commitment to hold themselves accountable to mutually agreed codes and standards of governance, the African Peer Review held the promise of being instrumental for effective partnerships with the international community.

33. Finally, the Executive Secretary noted the importance of the African Union in Africa's efforts to overcome its developmental challenges and assured Council that the ECA would contribute to make the African Union a major success.

Statement by the Outgoing Chairman

34. The Minister of Foreign Affairs of the Republic of Senegal, Mr. Cheick Tidiane Gadio, in turn, expressed his gratitude to the government and people of South Africa for all the arrangements made to ensure the success of the Durban meetings. He also thanked his colleagues for the honour and confidence conferred on his country in electing him to chair the 75th Session of the Council of Ministers. The Minister reaffirmed Senegal's readiness to work alongside other African countries, within the framework of the African Union, to make Africa come of age, and to ensure its political, economic, cultural and social renaissance, thereby guaranteeing its integration into the globalization process. He then enumerated some of the challenges to be faced at the political, economic front as well as the level of fundamental rights and freedoms.

35. The Minister expressed the strong hope that the provisions of Decision 142 would be extended to include countries which hold non-transparent elections in order to remain in power against the sovereign will of the people. The Minister requested that, where independent observers mandated by our Union have noted such situations, the country in question should be placed on the list of countries under sanctions in compliance with Decision 142.

36. The African Union, he stressed implied a system of partnerships; however, Africa would have to first, pool its energies. This could be achieved only through strengthened Regional Economic Communities,

judicious exploitation of the potentials of the new information technologies and the development of road infrastructure: Herein lay the essence of NEPAD; a vision whose obvious benefits Africa could not afford to ignore and which gave cause for all the sons and daughters of the continent to rally behind its implementation.

37. The Minister further pointed to the pivotal role that culture must play in Africa's development programmes, and reaffirmed that the African Union was the ultimate objective set by African leaders. The Union constituted indeed, the final stage of an irreversible process which has come to fruition, and which would certainly encounter numerous hurdles that would have to be overcome.

38. Reviewing the issues to be brought to the attention of Council, the Minister made special mention of the Draft Rules of Procedure and statutes of the Four Key Organs of the African Union, namely: the Assembly, the Executive Council, the Permanent Representatives' Committee and the Commission; as well as the Draft Statutes of the Peace and Security Council. Furthermore, he took stock of the activities of the OAU, stating that, viewed against its numerous achievements, the establishment of the African Union could not be said to have come about because the OAU had failed. Concluding, the Minister thanked the management and staff of the OAU, and called upon Member States to honour their obligations in order to endow the African Union with the necessary resources to carry out its activities. He finally indicated that the establishment of the Peace and Security Council, as well as the NEPAD Programme was consistent with the envisaged priorities of the African Union.

(b) Election of the Bureau

39. On the recommendations of the Dean of the African Diplomatic Corps in Addis Ababa, Mr. Osman Al Sayed, the Ambassador of the Sudan, and following consultations, the Council elected the Bureau as well as the Drafting Committee of its 76th Ordinary Session, as follows:

Bureau

- | | |
|---------------------------------|--------------|
| - Chairman | South Africa |
| - 1 st Vice-Chairman | Ethiopia |
| - 2 nd Vice-Chairman | Egypt |
| - 3 rd Vice-Chairman | Gabon |
| - Rapporteur | Benin |

Drafting Committee

Chad, Côte-d'Ivoire, Djibouti, Equatorial Guinea, Gabon, Ghana, Lesotho, Libya, Mauritius, Namibia, Nigeria, Sahrawi Arab Democratic Republic, South Africa, Tanzania and Togo.

40. Council also accepted the proposal tabled by the Dean that Eritrea and Chad should, respectively, reply to the address by the Vice-President of the Republic of South Africa, and move a vote of thanks at the closing session.

Acceptance Statement by the Incoming Chairperson

41. Dr. Nkosazana Dlamini-Zuma, Minister of Foreign Affairs of the Republic of South Africa welcomed all the delegations to South Africa and thanked Council for bestowing upon her country, the honour to host the last historic Summit of the OAU and the first Summit of the African Union as well as for the privilege to chair the 76th Ordinary Session of the OAU Council of Ministers and the first Session of the Union. She congratulated the Outgoing Chairman, Cheik Tidiane Gadio, Foreign Minister of Senegal, for his able and very competent chairmanship, and expressed appreciation for his resilience and sense of humour. She also paid tribute to the Senegalese football team for its performance which had proved that Africans could compete in all areas.

42. As the continent was about to launch the AU, Dr. Nkosazana Dlamini-Zuma called on all to take inspiration from past achievements of the OAU, in order to prepare for a long and arduous future. In that context, she recalled that Africa, with its architectural wonders and genesis of civilization, was the cradle of humanity; an indication that the continent has the capacity to march to a better future. She added that, as the Assembly would bid farewell to the OAU which had served the continent very well, and would be replaced by the African Union, it was good to recall the bigger role of the latter, with its numerous organs that should broaden and reinforce the unity of the continent. She underlined the fact that women should be at the heart of the renaissance of Africa, and that governments, the people and the leadership should focus on fighting poverty in order to wipe out the current negative image of the continent and its people, as objects of charity.

43. She stressed the need for Africans to recognize that their success lay in their acceptance of a common destiny. She then recalled that the 21st century had been asserted as the African century, and therefore peace alone should reign everywhere. Concluding, she encouraged

- democratization process in Africa CM/2257(LXXVI)
- b) Establishment of an OAU Organ to observe and monitor Elections
(Proposed by the Great Socialist People's Libyan Arab Jamahiriya) CM/2264(LXXVI)
Add.4
5. Report of the Secretary General on Developments in the Middle East and Palestine CM/2258(LXXVI)

IV. **ECONOMIC AND SOCIAL MATTERS**

1. Report of the Secretary General on the Implementation of the Treaty Establishing the African Economic Community:
- a) Report by the General Secretariat CM/2259(LXXVI)a
- b) Report by the Secretariats of the RECs CM/2259(LXXVI)b
- c) External support to the programme of Integration in the Continent CM/2259(LXXVI)c
2. Report of the Secretary General on the outcome of the 15th Session of the Conference of African Ministers of Industry (CAMI-15) CM/2260(LXXVI)
3. Report of the Secretary General on the 4th General Assembly of the African Population Commission CM/2261(LXXVI)
4. Report of the Secretary General on the 25th Session of the OAU Labour and Social Affairs Commission and on the Ministerial Conference on Employment and Poverty Alleviation in Africa CM/2262(LXXVI)
5. Report of the Secretary General on the OAU Ministerial Conference on Drug Control in Africa CM/2263(LXXVI)
6. a) African Convention on the Conservation of Nature and Natural Resources CM/2265 (LXXVI)
- b) African Process for the Development and Protection of the Marine and Coastal Environment *(Proposed by the Federal Republic of Nigeria)* CM/2264(LXXVI)
Add.2

- c) Proclamation of an African Day of Environment (*Proposed by the Great Socialist People's Libyan Arab Jamahiriya*)

CM/2264(LXXVI)
Add.3

V. **CONSIDERATION OF THE REPORT OF THE COMMITTEE OF AMBASSADORS AND OTHER PLENIPOTENTIARIES**

VI. **ITEMS PROPOSED BY MEMBER STATES**

1. Development of Human Resources for Health in Africa
(*Proposed by the Republic of Congo*)
2. Implementation and Universality of the Convention on the Prohibition Development and Production of Chemical Weapons
(*Proposed by the Republic of the Sudan*)
3. The Return of the Pillaged African Monument: The Obelisk of Axum
(*Proposed by the Federal Democratic Republic of Ethiopia*)
4. Consideration of the on-going process aimed at drafting an additional Protocol to the Algiers Convention on Terrorism for the establishment of an operational mechanism of the said Convention
(*Proposed by the Republic of Senegal*)

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Add.1

CM/2264(LXXVI)
Add.5

CM/2264 (LXXVI)
Add.6

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Add.7

VII. **CONSIDERATION OF THE DRAFT AGENDA OF THE 38TH ORDINARY SESSION OF THE ASSEMBLY OF HEADS OF STATE AND GOVERNMENT AND OF THE INAUGURAL SESSION OF THE AFRICAN UNION**

VIII. **DATE AND VENUE OF THE FIRST ORDINARY SESSION OF THE EXECUTIVE COUNCIL OF THE AFRICAN UNION**

IX. **ANY OTHER BUSINESS**

X. **ADOPTION OF THE DRAFT RAPPORTEUR'S REPORT**

XI. **CLOSING CEREMONY**

II. **REPORT OF THE SECRETARY GENERAL
ON THE ACTIVITIES OF THE OAU GENERAL
SECRETARIAT FOR THE PERIOD FROM
FEBRUARY TO JUNE 2002**

1. **Introductory Note of the Secretary General**
2. **Headquarters** **CM/2253(LXXVI)Part I**
3. **Regional and Sub-Regional Offices** **CM/2253(LXXVI)Part II**

46. There was no formal presentation of the above item, because the Opening Statement of the Secretary General had covered all the salient points in Document CM/2253 (LXXVI) Parts I and II. In considering the item, attention of Council was drawn to the addendum to the introductory Note of the Secretary General on the Follow-up on the Africa-Europe Summit and the corrigendum to the same Report on the Situation in Western Sahara.

47. Council took note of the Report of the Secretary General on the Activities of the OAU General Secretariat for the period from February to June 2002 and the two Addenda and approved the recommendations contained therein.

III. **POLITICAL MATTERS**

1. a) **Report of the Secretary General on Liberia-
CM/2254(LXXVI) - a**

48. The Report of the Secretary General on Liberia was introduced by the Assistant Secretary General for Political Affairs who stated that the Report contained an account of the security and humanitarian situations in the country, which had given much cause for concern, in the light of the recent incursions made by the rebel movement, the Liberians United for Reconciliation and Democracy (LURD). The Report also highlighted the human rights situation in the country.

49. Council was informed that the Report also dwelt on the efforts of the Liberian Government to launch a national reconciliation process, in response to the call made by ECOWAS to encourage a process of national reconciliation in Liberia, including the convening of an all-Liberian Conference IN Abuja in March 2002. Mention was also made of the Mano River Union Summit held at Rabat in February 2002. The report made mention as well, of the actions of the OAU, including the two missions undertaken by the Special Envoy of the OAU Secretary General in February and March, and in May and June 2002. During

those two visits, the Special Envoy had met, *inter-alia*, President Taylor and members of his Government, President Kabbah and members of his Government, the Foreign Minister of Guinea, the ECOWAS Executive Secretary and representatives of the LURD.

50. Finally, the Assistant Secretary General drew the attention of Council to the fact that, as stated in the report, during the UN debate on the sanctions imposed on Liberia, the OAU had stood by the position of ECOWAS, which was that they should be lifted in view of the negative impact they were having on the Liberian people in socio-economic and humanitarian terms; and that rather, the international community should engage the Liberian leadership constructively.

51. In the discussion that ensued, it was observed that the situation in Liberia had given cause for much concern in the West African region. Council was informed by the Nigerian delegation that in the light of that, an ECOWAS initiative, led by Nigeria, had been undertaken to organise an inter-Liberian Conference in Abuja, Nigeria. The convening of that Conference had been motivated by the desire to forge a common understanding among all the parties to the conflict in Liberia, so as to bring peace to the country and the region as a whole. Unfortunately, the Conference had not achieved significant progress on the matter, since fighting had resumed in Liberia. Subsequently, an ECOWAS Summit meeting was held in Yamoussoukro in May with a view to encouraging the parties to the conflict, to seek a successful solution.

52. Council launched an appeal to all the concerned parties to continue to work together with a view to achieving peace in the region.

53. It commended the efforts so far deployed by the OAU, ECOWAS, the Mano River Union and the UN Security Council in their bid to secure peace in Liberia and the region.

54. Council also appealed to the UN Security Council to review the sanctions imposed on Liberia, following the UN Panel's visit.

55. Noting the grave consequences emanating from the resumption of the fighting in Liberia, Council appealed to all Member States of the OAU and the international community, to assist in every way possible to enable the countries of the region to adequately address the humanitarian, social and economic needs of the affected citizens.

b) Report of the Secretary General on the Democratic Republic of Congo - CM/2254(LXXVI) - b

56. Council examined the situation in the Democratic Republic of Congo (DRC), particularly the peace process set in motion by the Lusaka Cease-fire Agreement. Introducing the above item, the Assistant Secretary General for Political Affairs stressed that the Inter-Congolese Dialogue (ICD) which had taken place at Sun City, had not led to any consensual agreement despite the efforts invested by the Facilitator, and H. E. Thabo Mbeki, President of the host country. At the end of the ICD, the parties could not agree on a comprehensive agreement on the transitional arrangements. On the other hand, an agreement had been signed between the government and the Movement for the Liberation of Congo (MLC) led by Mr. Jean Pierre Bemba, as well as by other Congolese parties. That agreement had, however, been rejected by the Congolese Rally for Democracy (RCD) (Goma) and a number of other political parties.

57. Concerning the other aspects of implementation of the Lusaka Cease-fire Agreement, the Assistant Secretary General highlighted the problems that have continued to undermine the process; namely violations of the cease-fire and the deceleration of the process for the withdrawal of foreign troops.

58. Council was also informed of the adoption of Resolution 1417 (2002) by the United Nations Security Council which, among other things, extended the mandate of MONUC up to 30 June 2003; but that the Security Council had neither acceded to the UN Secretary General's proposal to increase the military strength of MONUC, nor the request by the signatory parties of the Lusaka Agreement to strengthen the mandate of MONUC. The Assistant Secretary General further informed Council of the appointment by the UN Secretary General of a Special Envoy in the person of Mr. Moustapha Niasse, former Prime Minister of the Republic of Senegal, with a mandate to reconcile the positions of the Congolese Parties, with a view to reaching a consensual and inclusive agreement.

59. Mr. Kikaya Bin Karubi, Minister of Communication and Media of the Democratic Republic of Congo, briefed Council on the status of the peace process in his country, particularly with regard to the Inter-Congolese Dialogue which had taken place at Sun City, and which had adopted 37 Resolutions on the various aspects of the political, economic, social and cultural life of the Democratic Republic of Congo. According to the leader of the DRC delegation, the Sun City meeting had reached a Framework Agreement signed by all the Congolese Parties, except the RCD, which represent 70% of the country. He noted that the Secretary General's report had not adequately highlighted the tragic events which had taken place in Kisangani, or the efforts by the government of the Democratic Republic of Congo to

resolve the issue of armed groups, a number of which had already encamped at Kamina. Honorable Minister Karubi underscored the systematic rejection of the Sun City Agreement by RCD-Goma. Concluding, the leader of the DRC delegation recommended that the African Union should involve itself more in the resolution of the conflict, to enable the Democratic Republic of Congo to play its role as a unifying State in the region.

60. Several delegations took the floor to voice their concern about the partial outcome of the Inter- Congolese Dialogue. They also expressed their countries' commitment to the peace process set in motion by the Lusaka Ceasefire Agreement, and urged the Congolese parties to restart the Dialogue process with a view to arriving at an inclusive and consensual agreement. The Council then urged the OAU/AU to continue to closely monitor the situation in the Democratic Republic of Congo (DRC) and called upon the international community to provide multiform assistance towards the peace process in the DRC and for reconstruction of the country.

61. During the debate, the Foreign Minister of Mauritius briefed Council about overtures by the United States of America to obtain exemption through the Security Council of the United Nations, under the International Criminal Court Treaty, for its military personnel engaged in peacekeeping operations. In the event of failure in that bid, it should be expected that the United States would cease contributing forces to peacekeeping operations in the world. That being the case, Africa must anticipate that the decision taken on the matter would impact considerably on the United States contribution to peacekeeping operations in future.

62. Delegations took the floor on this specific issue to express their concern at the United States' request.

c) Report of the Secretary General on Madagascar - CM/2254(LXXVI) - c

63. The report of the Secretary General on the situation in Madagascar was introduced by the Assistant Secretary General in charge of Political Affairs. In his introductory remarks, the Assistant Secretary General noted the absence of the delegation of Madagascar at the meeting which he attributed to the decision adopted by the Central Organ during its meeting at Summit level, in Addis Ababa on 21 June 2002. The Assistant Secretary General indicated that the Central Organ had come to the conclusion that the presidential election of 16 December 2001 in Madagascar, had not resulted in a constitutionally and legally constituted government and, as such, the

seat of Madagascar would have to remain vacant until the parties reached a consensus on a political solution to the crisis in conformity with OAU principles.

64. The Assistant Secretary General noted that the Central Organ had taken that decision against a background of sustained efforts by the OAU to assist the parties in the search for such a solution. The efforts and initiatives included the visit of the Secretary General, in February 2002, the mission of the OAU Contact Group for Madagascar in March 2002, the first meeting of the two protagonists in Dakar in April 2002 and the signing of the Dakar Agreement, under the auspices of President Abdoulaye Wade of Senegal and other Heads of State, members of the Committee of the Facilitators; the visit of the ministerial delegation to Madagascar in May 2002, to ensure the implementation of the Dakar Agreement; the meeting and solemn appeal of Libreville of June 2002; and the second meeting in Dakar between the two protagonists in June 2002, which had resulted in a plan for the settlement of the crisis but that had not been immediately approved by the parties. Meanwhile, the elements of the armed forces, which had rallied behind Mr. Ravalomanana, were reported to have occupied the majority of the autonomous provinces.

65. The Assistant Secretary General indicated that, on the eve of the meeting of the Central Organ, the Secretary General was informed of the decision by some countries to recognize the government of M. Ravalomanana, and the expectations by these countries that the Central Organ would do likewise. Since then, a number of other countries have recognized M. Ravalomanana as President of the Republic Madagascar and some had even signed cooperation agreements with his government.

66. Several delegations took the floor during the long exchange of views on the crisis in Madagascar. During their interventions most delegations raised their concern over the recognition by some OAU cooperating partners of those African governments considered by the OAU in violation of its founding principles, instead of supporting the Organization's efforts to abide by its principles. The delegations paid tribute to the OAU current Chairman, Mr. Patrick Levy Mwanawasa, of Zambia, President Wade of Senegal and other members of the Committee of Facilitators, the Secretary General of the OAU and the Personal Envoy of the United Nations Secretary General for their sustained efforts in the search for a peaceful solution to the Madagascar crisis.

67. Council was of the view that the situation in Madagascar constituted a dangerous precedent for the OAU in its efforts to uphold

the respect for the rule of law and democratic governance. In that regard, all the delegations saluted the Algiers decision of July 1999, and the Lome Declaration of July 2000, on unconstitutional changes of government.

68. Some delegations underscored the need for pragmatism, taking into account the unfolding situation on the ground, including the control of the majority of the provinces by Mr. Ravalomanana's forces and his recognition by some foreign powers as the President of Madagascar. In that regard, they requested Council to recommend to the Assembly, a review of the decision of the Central Organ of June 2002. They stressed that, under the prevailing conditions in the country, the organization of new free and fair elections would be almost an impossible task and, as such, emphasis should rather be put on national reconciliation and the preservation of national unity and cohesion. For these delegations, the efforts of the OAU in Madagascar had paid off, as they had helped the country avert a civil war. Consequently, it was imperative for the OAU to continue to encourage Mr. Ravalomanana to pursue national reconciliation, including by inviting him to take part in the launching of the African Union, as the seat of Madagascar should not be vacant at the historic time of the launching of the Union.

69. By contrast, other delegations, recalling previous situations where the Algiers decision and Lomé declarations had been enforced, insisted on the need to avoid double standard in the application of key OAU principles. In their view, the OAU should refrain from appearing to be influenced by the recognition granted by some foreign powers to Mr. Ravalomanana, as that could be detrimental to the credibility of the Organization.

70. While expressing the firm view of the need for the OAU/AU to abide by its principles, the delegations agreed that Council should recommend to the Assembly to review the situation in Madagascar in the light of the decision of the Central Organ of June 2002 and any other political developments in the country. For them, the Assembly should be concerned about the search of a lasting political solution that would be acceptable to all the parties.

71. Speaking at the end of the discussions, the Secretary General informed Council that since its involvement in Madagascar, the OAU has always been conscious of the need to negotiate a political, rather than a legal solution to the crisis, notably through national reconciliation. He stressed the need for OAU Member States to act on the basis of principles, and concurred with the recommendation that Council should defer the issue under examination to the Assembly.

The Secretary General appealed for serenity, in view of the fact that the situation, continued to evolve in an unpredictable fashion, affirming that he was closely following the situation and that he would inform Council and the Assembly of any new significant developments in the country.

**d. Report of the Secretary General on The Comoros-
CM/2254(LXXVI) – d**

72. The Assistant Secretary General in charge of Political Affairs introduced the report of the Secretary General on the situation in the Comoros. In his remarks, he welcomed the Minister of Foreign Affairs and Cooperation of the Comoros, Mr. Mohamed El Amine Souef to the meeting as the sign of a happy end to the double institutional and separatist crises that the country was confronted with since 1997. He further indicated that that outcome had been made possible thanks to the efforts undertaken by the Comorian people, with the assistance of the OAU and the countries of the Region, under the coordination of South Africa, and with the support of the wider international community. He seized the opportunity to thank the countries of the Region and OAU partners in the Comoros for their efforts.

73. The Assistant Secretary General noted that although the country now has a democratically elected President, much remains to be done in order to complete the setting up of the new institutions, strengthen the ongoing reconciliation process and promote socio-economic development. In this regard, he invited all OAU Member States and the international community as a whole, to actively take part in the donors conference on the Comoros, which will be hosted by Mauritius later this year, so as to provide the Comoros with much needed resources for socio-economic development.

74. Speaking during the session, the Comorian Minister of Foreign Affairs expressed the gratitude of the Comorian people and authorities to the OAU, for its sustained efforts and encouragement. He noted that although the OAU had achieved its objective in the Comoros, there was still much to be done to consolidate the reconciliation process. In this regard, Mr. El-Amine Souef urged the OAU to assist the Comorian authorities in the organization, as soon as possible, of legislative and local elections for the establishment of a National Assembly. He requested the support for capacity building in the area of decentralizing the administration of the Union, and called on all OAU Member States to contribute, within their means, to the donors conference on the Comoros, which is scheduled to take place in Mauritius.

75. Mr. Souef underscored the fact that the cycle of crisis that had affected the Comoros since independence would find no lasting solution if the issue of the socio-economic development of the Islands was not addressed comprehensively. He also indicated that the issue of the island of Mayotte continued to be cause for concern for all the Comorian people. In this regard, he informed Council that this island belongs to the Comorian ensemble and that the Comorian people would like to see it join the new Union of the Comoros.

76. The other delegations that took the floor welcomed the return to constitutional rule in the Comoros and congratulated Colonel Azali Assoumani on his election as President of the Union of the Comoros. They also paid tribute to the Comorian people for their patience and cooperation with the OAU throughout the process. They also congratulated the Government of Mauritius for accepting to host the donors conference on the Comoros, and expressed the wish that the donors conference on the Comoros would take place as soon as possible to enable the consolidation of the reconciliation process in the Comoros.

e. Report of the Secretary General on Angola-
CM/2254(LXXVI) - e

77. Council discussed the situation in Angola at length following a brief introduction of the item by the Assistant Secretary General for Political Affairs and the presentation by its Chairman H.E. Mr. Sule Lamido, Minister of Foreign Affairs of the Federal Republic of Nigeria, of the report of the OAU Ad-Hoc Committee on the Follow-up on the UN Security Council Sanctions against UNITA. The Assistant Secretary General and the Chairman of the Ad Hoc Committee underscored the positive developments in the Angolan peace process, and the need for adequate assistance from the international community to support the process and help the Angolan Government address the resulting humanitarian crisis. The Chairman of the Ad-Hoc Committee further recommended that the sanctions imposed against UNITA be maintained until there was irreversible progress in the peace process. He briefed Council on the activities of the Ad Hoc Committee, particularly the visits to some African countries. Lastly, he drew Council's attention to the recommendations contained in the report.

78. The Minister of Foreign Affairs of Angola, Mr. Joao Bernardo Miranda thanked the OAU Ad-Hoc Committee for a job well done, adding that he was aware of the difficulties inherent in the task. He intimated that the sanctions imposed on UNITA were determining factors for the end of the war, and thanked the OAU and African

countries for the assistance they had provided to Angola, and the solidarity demonstrated. In that regard, the Angolan Minister of Foreign Affairs stressed the importance of the social dimension of the peace process, which could constitute a risk factor if care was not taken. He stated that since the signing of the Memorandum of Understanding on 4 April 2002, 78,800 ex-UNITA combatants had been quartered, 5,000 of whom had been integrated into the army and police while the rest would undergo accelerated training for subsequent integration into civilian life. He also indicated that Angola was grappling with 50,000 orphans, 50,000 maimed people, 4 million displaced persons and over 400,000 refugees from neighbouring countries.

79. Several delegations expressed satisfaction at the new prospects for peace in Angola, adding that the end of the war in that country had constituted a significant achievement, not only for Angola but for the entire African Continent. All the delegations congratulated the Angolan authorities, especially President Jose Eduardo dos Santos, for the way he had so far handled the situation as well as the on-going peace process. Thus, the signing on 4 April 2002 of the Memorandum of Understanding, Supplementary to the Lusaka Protocol for Cessation of Hostilities and Resolution of Pending Military Issues, was an event of great political significance. All delegations were of the opinion that, it was necessary to show solidarity in concrete terms, towards Angola considering the daunting problems that country had to grapple with as a result of the peace process.

80. At the end of the debate, Council supported the recommendations of the OAU Ad-Hoc Committee with the exception of that stipulated in paragraph 29(d) regarding the report on extending assistance to UNITA for transformation into a political organization, on the grounds that such action could constitute an instance of interference in the internal affairs of Angola.

2. Report of the Secretary General on the Implementation of the CSSDCA - CM/2255(LXXVI)

81. The Assistant Secretary General for Political Affairs introduced the Report on the Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA). He recalled the Sirte Declaration adopted by the 4th Extraordinary Summit, on 4 September 1999, and the Solemn Declaration on the CSSDCA adopted by Heads of State and Government in July 2000 in Lomé, Togo.

82. He noted that the Solemn Declaration provided a framework for political and economic governance for the development of the CSSDCA

process as a policy development forum, and as a mechanism for monitoring and evaluation for the OAU/AU. In pursuance of the directive by the Heads of State and Government, that detailed discussions be undertaken on the various calabashes in order to implement the CSSDCA Process, the General Secretariat had convened the Meetings of Experts on Development and Cooperation, in Midrand, South Africa in December 2001, and on Security and Stability, in Addis Ababa, Ethiopia in May 2002. Each Meeting of Experts had adopted a Memorandum of Understanding which had been consolidated into a General Memorandum of Understanding on Security, Stability, Development and Cooperation.

83. The Council was also informed of the second OAU-Civil Society Conference organized in Addis Ababa, from 11-15 June 2002, which had examined the General Memorandum of Understanding on Security, Stability, Development and Cooperation of the CSSDCA, and submitted recommendations for enriching the same. These recommendations of the conference have been reflected in the Consolidated Memorandum of Understanding that had been submitted to Council for consideration. The Assistant Secretary General concluded that all the mandates of the Lomé and Lusaka Summits with regard to the CSSDCA had been fulfilled.

84. The Minister of Foreign Affairs of the Federal Republic of Nigeria expressed his government's appreciation to the Secretary General and his staff for the successful integration of the CSSDCA process into the work programme of the African Union. He commended the Ambassadors and governmental experts who had participated in the various expert meetings that had resulted in the Memorandum of Understanding now under review.

85. The Minister also expressed delight that African Civil Society Organizations had been given the opportunity to provide inputs for the CSSDCA process. He observed that their comments were constructive, and showed clearly the value that Civil Society participation could add to the process of governance on the continent. He urged Council to adopt the proposed amendments as they would enrich the Memorandum of Understanding for submission to the Heads of State and Government for endorsement.

86. The Minister further informed Council that, as a mark of Nigeria's support for the CSSDCA Trust Fund, along with South Africa had contributed US\$ 500,000 each to the Trust Fund. He appealed to other African countries to contribute to the Fund as a sign of support to the process. The Minister expressed satisfaction with the interest shown by the Organization of Security and Cooperation in Europe

(OSCE) the UN and some European countries in the CSSDCA process, which complemented the NEPAD process as a programme of the African Union. Finally, the Minister endorsed the proposal contained in the Memorandum of Understanding to strengthen and enlarge the CSSDCA so that it could perform fully its mandate.

87. The Report of the Secretary General and the recommendations therein as well as the Consolidated Memorandum of Understanding were thereafter adopted by Council.

3. Report of the Secretary General on the Situation of Refugees, Returnees and Displaced Persons in Africa - CM/2256(LXXVI)

88. The Assistant Secretary General in charge of Political Affairs presented the item. He informed Council that the problem of refugees, returnees and displaced persons on the continent had remained basically the same as had been reported during its last session. He however pointed out that the report was presented to Council in order to continue to sensitize Member States to the need to address the problems of refugees and displaced persons on the continent.

89. After the above introductory remarks of the Assistant Secretary General, Council took note of the Report.

4. (a) Report of the Secretary General on strengthening the role of OAU/AU in elections, observations and monitoring and the advancement of the democratisation process in Africa - CM/2257(LXXVI)

(b) Establishment of an OAU Organ to observe and Monitor Elections (Item proposed by the Great Socialist People's Libyan Arab Jamahiriya) – Doc. CM/2264 (LXXVI) – Add.4

90. Introducing the above reports, the Assistant Secretary General for Political Affairs stated that the reports had their genesis in OAU's involvement in election observation and in the democratic process in Africa, following the adoption of the July 1990 Addis Ababa Declaration on the Political and Socio-Economic Situation in Africa and the Fundamental Changes Taking Place in the World. This Declaration was followed by the subsequent adoption of the Algiers Decision of July 1999, and the Lomé Declaration of July 2000, on Unconstitutional Changes of Government, whose common values and principles have become the benchmark for the Organization's

subsequent actions regarding the democratic process and good governance.

91. The report went on to review the democratic progress achieved in Member States, especially in regard to the establishment of pertinent legal and institutional frameworks, as well as the involvement of the civil society. The report further indicated that, despite progress made, Member States were still faced with some difficulties, such as inadequate financial resources and equipment, deficiencies in the legal and institutional structures, weakness of institutions responsible for the electoral process, low level voter education and awareness; etc. The Assistant Secretary General emphasized that the list of such weaknesses were not exhaustive, and that they have seriously hampered efforts at organizing free, fair, credible and democratic elections.

92. The Assistant Secretary General then invited the Council to the critical assessment of OAU's performance in the area of election made in the report, especially the absence of a clear mandate spelt out in a decision or declaration indicating, in unambiguous terms, the aims and objectives of OAU election monitoring missions; the lack of institutional capacities to effectively undertake activities geared to strengthening democratic processes in Africa; lack of adequate financial resources to enable the Organization undertake its mission effectively and to cover all the critical aspects of the electoral process; namely voter registration, declaration of results, including electoral campaign and the actual casting of votes.

93. The Assistant Secretary General further drew Council's attention to the series of recommendations on various aspects of this issue, especially on a radical review of the Organization's policy, criteria to guarantee more effective and efficient participation by the Organization in election observation missions, the need to endow the Organization with sufficient financial resources to enable it participate actively in the democratization process and establishing a democratization support fund.

94. Concluding, Assistant Secretary General recommended that in order to effectively orientate OAU/AU's intervention in elections and in consolidating democratic processes, a Declaration be adopted on the principles to guide the conduct of democratic elections in Africa, adding that the Draft Declaration which reaffirmed the principles and objectives already adopted by the OAU/AU since the 1990 Declarations on the Fundamental Changes Taking Place in the World and on Popular Participation in Development including the Declaration on Unconstitutional Changes of Government, the Declaration on the

CSSDCA (Lomé, 2000) and the Declaration on NEPAD (Lusaka, 2001), had been submitted to the Drafting Committee for consideration.

95. Following the above presentation, the Libyan Minister of the African Union took the floor to recommend the setting up of a Unit within the AU Commission for election monitoring and observation. He expressed satisfaction at the quality of the Secretary General's report on this important issue and he also stressed that Africans had already shown their willingness to consolidate their democracy through the adoption of the Algiers Decision and the Lomé Declaration. He denounced the tendency of some foreign forces, on the continent, to interfere in the internal affairs of African States through elections, adding that such action constituted a threat to African integration and independence. He stated that Africa had the ability to organize free, fair and transparent elections on its own, and that all those who wanted to assist in the organization and observation of elections, should do so through the OAU. In that regard, he recommended the establishment of an appropriate mechanism to which his country was already willing to contribute. This mechanism should also be capable of assisting Member States, which expressed the need for help, in the organization of their elections, without interference from foreign forces on the continent.

96. After these two presentations, many delegations took the floor to congratulate the Secretary General on the quality and relevance of the report, and the recommendations contained therein. All the delegations agreed that the report was consistent with the decisions taken by the OAU Heads of State and Government and in particular the Algiers Decision and the Lomé Declaration on Unconstitutional Changes of Government, CSSDCA and NEPAD programmes especially aspects dealing with democratic governance, the rule of law and popular participation. They deplored the fact that OAU was unable to cover the elections it had been invited to observe, adequately, due to the meagre resources at its disposal. They therefore requested that adequate means be provided to the Organisation to enable it to carry out this important mission satisfactorily.

97. While underscoring the importance of election observation and monitoring, the delegations also highlighted the difficulties encountered in the preliminary stages, particularly the drawing-up of reliable electoral lists. Other delegations also stressed the importance of allowing international observers to monitor elections, thereby guaranteeing greater credibility and providing added assurance to all the contestants. They deplored situations where some leaders who had lost elections had refused to hand over power to the newly elected candidates. In that connection, those same delegations recommended

that the provisions of the Algiers Decision should be applied against such leaders.

98. The delegations also welcomed the establishment of a special election fund and the involvement of Civil Society in the work of the Union in that regard. Furthermore, they recommended that recognition be accorded to the status of political oppositions in Member States in order to entrench a culture of democracy, particularly change of government through the ballot box. By the same token, the various oppositions must also demonstrate a sense of responsibility and adhere to the rules of democracy and constitutional legality. The vital role of the media in strengthening the democratic process was also underscored.

99. The Minister of Foreign Affairs and Cooperation of the Republic of Mozambique recommended the inclusion of the item on Lesotho and the very successful general election which had been held there in the framework of national reconciliation with the involvement of the OAU.

100. Council took note with appreciation of the report of the Secretary General and the proposals by Libya. It called on the Drafting Committee to examine the Draft Declaration presented by the Secretariat in the light of the report and to come up with appropriate recommendations for submission to the Assembly of Heads of State and Government.

5. Report of the Secretary General on Developments in the Middle East and Palestine - CM/2258(LXXVI)

101. The above report was introduced by the Assistant Secretary General for Political Affairs who indicated that the situation in Palestine had seriously deteriorated both in terms of the escalating cycle of violence as reflected by the unprecedented Israeli Army attacks resulting in hundreds of deaths with thousands wounded among Palestinian demonstrators.

102. Despite the numerous urgent appeals by the International Community, Israel had now been maintaining its siege on President Arafat for months on end; it had ignored the Arab League's peace initiative proposed at the end of its 14th Ordinary Session held in Beirut, Lebanon, in March 2002, whereas this initiative had been widely accepted as offering a viable bases and a historic opportunity for a comprehensive peace and lasting global solution to the conflict in the region.

103. The Assistant Secretary General recalled the re-occupation of Palestinian territories by Israeli forces and the various reactions by the

International Community to the Israeli military incursions in Palestine both at the level of the United Nations, the League of Arab States, the Islamic Conference Organisation, the European Union, and also at the level of the OAU.

104. On the situation in the Middle East, the Assistant Secretary General stated that the events in Palestine had also impacted negatively on the peace process, leading to heightened tension and violence in the Region.

105. Invited by Council to take the floor, Mr. Farouk Kaddoumi, the Foreign Affairs Minister of the State of Palestine, first commended the Secretary General for his detailed report whose conclusions were, in his view, very vital and deserved particular attention.

106. He then explained that the September 2001 events in the United States, although condemned by President Yasser Arafat, had provided the Israeli Prime Minister with a pretext to perpetrate large scale attacks against the Palestinian people, which, to date, had claimed 2229 lives with 7000 wounded including 464 children and 7540 detainees 980 of whom were children. He further said that Israel had divided the occupied territories into 227 mini-districts. He informed Council that 7% of the population in Gaza strip lived below poverty level due to the blockade imposed by the Israeli army, adding that Israel's real aim was the physical elimination of President Yasser Arafat, and the extermination of the Palestinian people.

107. Mr Kaddoumi further informed Council that all President Yasser Arafat's attempts at bringing Israeli occupation to an end had been undermined by the Israeli Prime Minister whose arrogance has gone as far as refusing the sending of a United Nations Fact Finding Mission to Palestine. He denounced the unacceptable interference of President George W. Bush who, in his recent statement on the Palestinian problem, asked the Palestinian people to elect new leaders.

108. He commended the United Nations Secretary General's continued efforts to find a solution to the Palestinian problem in accordance with the various United Nations Security Council Resolutions.

109. Mr. Kaddoumi lastly thanked OAU Member States, individually and collectively, for their unflagging support to the Peace Process in the Middle East and in Palestine, and expressed the hope that the African Union Member States would do the same.

110. Taking the floor, Mr. Papa Louis Fall, the Permanent Representative of the Republic of Senegal to the United Nations and Chairman of the Committee for the exercise of the Inalienable Rights of the Palestinian people, recalled the fact that 21 long and painful months had gone by since the International Community witnessed, helplessly or indifferently, the resumption of Israeli aggression against the Palestinians, an aggression which had continued to show hatred, death and desolation, under the convenient pretext of repression of terrorism, coupled with the sealing off of Palestinian territories, as well as economic and financial blockade. Having been considerably damaged and now more or less in ruins, Palestinian infrastructure no longer functioned, populations whose dignity had been wounded, have no other alternative but to rise in anger, sometimes in a most questionable way in reaction to acts of violence, provocation, terror and the action of Israeli bulldozers.

111. All these acts had been condemned by the United Nations Committee for the Exercise of the Inalienable Rights of the Palestinian Peoples. The Committee also expressed its frustration and consternation over the failure of the Security Council to enforce its own decisions, one instance of which was the unfortunate episode whereby the Fact-Finding Mission on the tragic events in Jenin was disbanded due to the refusal of Israel to cooperate with the United Nations.

112. Concluding, Ambassador Papa Louis Fall urged the parties, particularly Israel, to comply with the United Nations Resolutions, Security Council Resolutions especially Resolutions 242, 338 and 1397, as well as the 1949 Geneva Convention on the Protection of Civilians in Times of War and accept the need for international protection according to appropriate modalities.

113. Several delegations took the floor to condemn the barbaric Israeli acts aimed at physically eliminating Yasser Arafat and returning the Palestinian people to the level of Bantustans, and even slavery. They stressed that the Question of Palestine remained the heart of the Middle East problem, where peace could not be restored as long as the question remained unresolved. The delegations also pointed out that it was high time Africa showed more active solidarity with the Palestinian people through an initiative, based on United Nations Security Council Resolution 1397.

114. The delegations which took the floor stated that Council should mandate its Chairman to get involved in the different initiatives on behalf of the Organisation. They hailed the visit of Dr. Nkosazana Dlamini-Zuma, Minister of Foreign Affairs of the Republic of South

Africa, to Palestine within the framework of and as leader of the Non-Aligned Countries Mission, during one of the most trying moments in the history of Palestine.

115. Most of the delegations expressed concern on the interference of the United States of America in the internal affairs of Palestine in calling for the election of new leaders. The delegations maintained that President Yasser Arafat is the President of the Palestinian National Authority democratically elected by the Palestinian People and that the decision to choose freely their leadership should be left to the people of Palestine.

116. They stressed the need for the Council to send a message of solidarity to President Yasser Arafat and asked the Secretariat to draft that message. The same delegations also invited the Council, while bearing in mind different existing initiatives, to take new initiatives to provide the Chairman with a base for more effective involvement of the Organisation in the Peace Process in Palestine.

117. Lastly, delegations were in favour of the idea of holding a Special Session of the Security Council on Palestine which should be pursued, as well as the possibility of a group of African Heads of State going to Palestine and Israel in order to move the Peace Process forward. Similarly, they were of the opinion that the possibility of convening a Special Session of the United Nations General Assembly could be looked into, in the event that the Security Council was unable to meet.

118. In conclusion, the Chairman of the Council summed up the discussion as follows:

- The Council must reaffirm African solidarity towards the Palestinian people;
- The Council must reaffirm the right of the Palestinian people to an independent State;
- The Council must urge both parties to show restraint and made every effort to resume negotiations aimed at achieving a just and lasting peace in the Middle East;
- The OAU should be further involved in finding a solution to the Palestinian problem with the help of a Committee set up for this purpose;

- The OAU should, like the different initiatives, set up a ministerial structure which would be presided over by the Chairman of the Council;
- The OAU should set up a Select Committee on this issue, consisting of two (2) countries drawn from each region;
- The Council should advise Heads of State to look into ways and means to further involve themselves in the Palestinian issue.

IV. **ECONOMIC AND SOCIAL MATTERS**

1. **Report of the Secretary General on the Implementation of the Treaty Establishing the African Economic Community:**
 - a) **Report by the General Secretariat - Doc. CM/2259(LXXVI) - a**

119. In presenting the report of the Secretary General on social and economic issues, the Assistant Secretary General in charge of Community Affairs Department informed the Council that under the umbrella item on the Implementation of the Treaty Establishing the African Economic Communities, there were sub items relating to the WTO, ACP-EU negotiations under the Cotonou Agreement, the development of telecommunications industries, plans of action on HIV/AIDS, Malaria and other related infectious diseases, and education. As the sub-items had already been examined by the Committee of Ambassadors and Other Plenipotentiaries, the Assistant Secretary General concentrated on presenting:

- Report of activities of the Secretary General on the Implementation of the Treaty Establishing the African Economic Community (Doc. CM/2259 (LXXVI) – a; and
- Report on External Support to the Programme of Integration in the Continent (Doc. CM/2259 (LXXVI) – c.

120. The attention of Council was drawn to summary reports on a number of subjects relating to African integration and development; including the report on the 15th Session of the Conference of African Ministers of Industry, the reports on the 4th General Assembly of the African Population Commission and on the Ministerial Conference on Employment and Poverty Alleviation which was combined with the 25th Session of the OAU Labour and Social Affairs Commission; the reports on the 1st OAU Ministerial Conference on Drugs and on the African

Convention on the Conservation of Nature and Natural Resources as well as the launching of Afro-Arab Cultural Institute, the 8th All-Africa Trade Fair held in Cairo, and OAU-BADEA cooperation.

121. Regarding the reports on the activities of the Regional Economic Communities, the Assistant Secretary General informed the Council that the representatives of the RECs would be making their respective presentations to the Council.

122. On the side of the General Secretariat, the activities undertaken consisted mainly of working with the RECs on issues relating to the launch of the African Union, and the future relations between the Union and RECs. Council was informed of the general briefing provided to the COMESA Summit by the Secretariat, on the transition process in May 2002 in Addis Ababa. The outcome of the meeting between the OAU and RECs held in June 2002 in Addis Ababa, on the future relations between the AU and RECS was also brought to the attention of Council. The Assistant Secretary General then informed Council of a planned meeting in Durban, between the Secretary General and the Chief Executives of RECs, on the margins of the OAU Summit.

123. Presenting the sub-item on External Support to the Programme of integration, the Assistant Secretary General informed Council of assistance provide by the African Capacity Building Foundation (ACBF) for the establishment of a Policy Analysis Support Unit (PASU) in the OAU, and by the UNDP which had financed an OAU/RECs joint mission to NAFTA and ASEAN. The Assistant Secretary General then appealed to Africa's cooperating partners to increase their assistance to the continent's integration effort and urged all Member States to play their own part in financing economic integration. In that regard, he called on the few remaining countries to ratify or accede to the AEC Treaty.

124. Following the presentation, the representatives of RECs were given the floor to report on their activities.

**b) Report by the Secretariats of the RECs -
CM/2259(LXXVI) - b**

**i. Economic Community of the Sahelo-Saharan States
(CEN-SAD).**

125. The Secretary General of the Community of Sahelo-Saharan States (CEN-SAD), Dr. Mohamed Al-Madani AL-AZHARI presented to Council, an Executive Summary of activities carried out by CEN-SAD,

since the 37th Ordinary Session of the Assembly of Heads of State and Government held in Lusaka in July 2001. The CEN-SAD Secretary General noted that the community initiative and activities so far carried out were in keeping with the Abuja Treaty of 3 June 1991, the 4 February 1998 Treaty establishing CEN-SAD and the Constitutive Act of the African Union. Furthermore, he noted that the activities carried out fell under the following four major areas, namely:

1. PEACE AND SECURITY

In this context and under the direction of the Distinguished Mediator of CEN-SAD, the Guide of the El Fatah Revolution, Colonel Muammer El Gaddafi, actions were undertaken by CEN-SAD to promote peace through dialogue especially in Chad, the Central African Republic, Somalia, The Sudan and Ethiopia/Eritrea.

2. RURAL DEVELOPMENT, WATER AND ENVIRONMENT

The Secretary General of CEN-SAD underscored the fact that these were priority issues and that a strategic partnership had therefore been entered into with the FAO, OSS and CILSS. He informed Council that the Rural Development Ministers of the 18 Member countries of CEN-SAD had met in Khartoum in October 2001 and identified ways and means of protecting and rehabilitating the vegetation and the environment. The Secretary General of CEN-SAD then informed Council that the Member States of the Community planned to establish a common market for basic agricultural commodities in the CEN-SAD area to more effectively combat food insecurity and backstop the projects retained in the Special Food Security Programme (SFSP-CENSAD FAO).

3. TRADE AND INVESTMENT

The Secretary General of CEN-SAD informed Council of the launch of a study on the ways and means to establish a CEN-SAD free trade area; and to this end, Customs, Trade and Chambers of Commerce Directors would meet in Tripoli in August 2002 to examine the issue and come up with interim measures.

4. INSTITUTIONAL SUPPORT TOWARDS THE ESTABLISHMENT OF THE AFRICAN UNION

The Secretary General informed Council that the CEN-SAD General Secretariat was fully prepared to lend its institutional support to the

African Union in keeping with the directives of its decision-making bodies.

126. Lastly, the CEN-SAD Secretary General stated that CEN-SAD remained open to partnership with all organizations that shared its aims and objectives.

ii. Common Market of Eastern and Southern Africa (COMESA)

127. The Secretary General of COMESA, Mr. Erastus O. Mwencha gave the genesis of his Organisation. COMESA was established in December 1981 as Preferential Trade Area (PTA) and was transformed into the Common Market for Eastern and Southern Africa (COMESA) in December 1994. Mr. Mwencha outlined COMESA's progress in market integration, infrastructure development, investment promotion and on peace and security. In this regard, he recalled the launching in October 2000 of COMESA Free Trade Area. The FTA has resulted in noticeable shift of trade from third countries in favour of COMESA and that more could be achieved with efficient and cost effective infrastructure to facilitate movement of goods and services.

128. Mr. Mwencha informed Council that COMESA's next milestone is the establishment of a Common External Tariff (CET) by 2004. He also outlined steps taken by COMESA in trade facilitation through the adoption of common instruments. He further elaborated on the monetary and financial instruments such as the trade and development bank, the clearing house and the African Trade Insurance Agency which COMESA had established to support integration.

129. The African Trade Insurance Agency was designed to cover political risks and address the issue of negative perceptions which adversely affected investment into Africa. ATI was open to all other countries in the continent and this project was submitted for promotion under NEPAD.

130. Lastly, Mr. Mwencha briefed Council on the efforts deployed by COMESA in the area of conflict prevention and promotion of peace.

iii. Economic Community of West African States (ECOWAS)

131. Taking the floor, the Executive Secretary of the Economic Community of West African States (ECOWAS), H. E. Mohamed Ibn CHAMBAS, briefed Council on the coordination measures taken by his Community to implement NEPAD and the vital projects on which ECOWAS was currently focusing attention.

132. He also recalled programmes on trade liberalization and the projected creation of the single ECOWAS Monetary Zone in 2004. The zone, he explained, would come about as a result of the merging of the CFA Zone and a second zone established by other countries of the region. He also referred to the measures taken by his Community to overcome the challenges facing some countries of the region in the area of energy.

133. On peace and security, he recalled the ECOWAS mechanism put in place for the purpose, as well as decisions taken by the Heads of State and Government of ECOWAS to guarantee good governance and democracy, combat corruption and prevent unconstitutional changes.

iv. Economic Community of Central African States (ECCAS)

134. The Assistant Secretary General of ECCAS, Ambassador Nelson Cosme, briefed Council on the activities of his Organization, highlighting the decisions taken during the 10th Ordinary Session of the Assembly of Heads of State and Government of ECCAS held in Malabo on 17 June 2002. These decisions concerned:

- the free movement within the Community of some categories of nationals of Members States, particularly the adoption of the identification card and the free movement card and as well as the establishment of corridors at airports, ports and some border posts;
- the introduction of a self-financing mechanism and a community integration levy based on the customs value of imports from third countries;
- food security and the adoption of a Regional Food Security Programme (PRSA);
- the establishment of a Central African Network of Parliamentarians ahead of the Sub-Regional Parliament and the adoption of a protocol in this respect;
- the reaction of a Central African Peace and Security Council (COPAX) and the adoption of the Statutes of the Organs of this mechanism (FOMAC, MARAC, CDS);
- the establishment of an ECCAS free trade area effective from the year 2004;

- the General Secretariat of ECCAS mandated to monitor NEPAD activities.

135. The Assistant Secretary General informed Council of the return of the Republic of Rwanda to ECCAS after a few years of absence.

v. Inter-Governmental Authority for Development (IGAD)

136. The IGAD Director of Economic Affairs provided general information on his Organisation stating that IGAD, which had been established to combat desertification and drought, has become a Forum which for discussing all issues of the sub-region to meet the challenge of self-sufficiency and establish cooperation for sustainable development.

137. For that purpose six priority fields have been defined for the promotion of integration.

138. The IGAD Secretariat, he said, has established a department dealing with Conflict Resolution, and a section for gender issues. Concluding, the IGAD representative called on the Council to allocate more to the discussion of programmes of the Regional Economic Communities.

vi. SADC

139. The Report on SADC integration activities was presented by the Deputy Executive Secretary, Mr. Albert M. Muchanga. He highlighted the elements of the restructuring programme started in March 2001, that had moved the region from decentralization to centralization of Secretariat activities. In that regard, he stated that the previously twenty-one decentralized sectors had been regrouped under four clusters that form the basis of the four programme directorates of the Secretariat.

140. He added that SADC National Committees (NCs) responsible for programme generation and implementation at the national level had been established to replace the abolished sectors, and underlined that membership in the NCs was open to governments, employers and workers' organizations, the private sector, parliamentarians and NGOs. He further indicated that a Regional Indicative Strategic Development Plan (RISDP) that would define projects, programmes, speed and sequencing of the regional integration process in the region and address issues of capacity building and equity, was under preparation.

141. He then enumerated progress in integration made in areas such as macro-economic policy convergence, trade, private sector involvement, gender mainstreaming, responses to food crisis, defense and security. He briefed the meeting about the signature of twenty protocols which, when ratified, would align domestic policies of Member States with regional policies, and enhance integration. He further highlighted inter-agency collaboration activities with the OAU, ECA, COMESA, the NEPAD Steering Committee. He concluded by indicating that SADC had contributed to the development of criteria for the hosting of some AU institutions and appealed to the Council to devote more time to the discussion of issues of socio-economic development and regional integration.

c) External Support to the Programme of Integration in the Continent - Doc. CM/2259(LXXVI) - c

142. In introducing this item, the Assistant Secretary General in charge of the Community Affairs Department underscored the importance of accelerating the pace of regional integration for the achievement of the objectives of African Union. He informed Council about the assistance which the OAU and the RECs had received from two development partners – the African Capacity Building Foundation (ACBF) and the United Nations Development Programme (UNDP) – in the implementation of regional integration programmes and policies. To ensure that Africa does not send the wrong signals to development partners regarding its commitment to regional integration, the Assistant Secretary General urged Member States that had not yet ratified the Treaty Establishing the African Economic Community to do so without further delay.

Africa/Europe Summit

143. The Assistant Secretary General, Ambassador Agubuzu, who presented the report of the General Secretariat CM/2259 (LXXVI) recalled the addendum to the Introductory Note of the Secretary General's report which referred to the offer by Portugal to host the Second Africa-Europe Summit in Lisbon in April 2003. Council raised no objection with regard to Africa's participation in the above Summit.

144. The Minister of Foreign Affairs of Burkina Faso took the floor to provide additional information on the Second Africa-Europe Ministerial Conference scheduled for November 2002 in Ouagadougou. He stated that the meeting of the Bi-regional Group which was due to hold prior to this Second Conference would now take place in September after the conference in Johannesburg on sustainable Development. He further

stated that the Conference in Ouagadougou would focus on issues pertaining to debt and cultural goods as well as on other important matters particularly NEPAD, in the light of the results obtained at the G8 Summit, organised transboundary crimes and trafficking in women and children.

145. In the discussions that followed the presentations by the Assistant Secretary General, and the Chief Executive of the RECs, several delegations stressed the need to accord priority to the issue of regional integration and for the Member States to commit resources to the process. The need to strengthen relationship with development partners to get more resources for the promotion of African regional integration was also highlighted.

146. They also stressed the need to ratify the Treaty Establishing the African Economic Community and speed up the economic integration process by adopting a common stand on trade and investment as well as a single system of rules of origin and by harmonising customs standards.

147. In his intervention, the Minister of Trade of South Africa commended the RECs on the progress made at the level of their various regions, and advised that it was time to start on some continent-wide initiative, especially in the area of trade. In that regard, he called for a more effective directory of exports and a common system of Rules of Origin. He further called for projects on common standards to be considered at the continental level, as well as for the harmonization of customs capacity and documentation, as those four areas constituted the basis to speed up trade.

148. Council accepted Burkina Faso's offer and stressed that the EU should be effectively represented at Ministerial level at the Ouagadougou Conference and that both parties should have a strong representation at Ministerial level at that meeting. It also called on the Secretariat to contact the EU side with a view to ensuring that the EU States are represented by Ministers.

149. Following the consideration of this item, Council:

- a) requested Member States to sign and/or ratify the Treaty establishing the African Economic Community if they had not yet done so;
- b) decided to devote more time to economic integration issues during future meetings;

- c) requested the Secretariat to take the necessary steps to prepare the Statutes of the African Academy of Languages;
- d) requested the General Secretariat and RECs to accord priority to continental integration initiatives that would speed up the integration process;
- e) identified the following areas of priority:
 - i) preparation of a directory of exporters in Africa;
 - ii) harmonization of the Rules of origins of the various regions;
 - iii) harmonization of standards between and within RECs;
 - iv) capacity building in the area of Customs and harmonization of Customs documents.

2. Report of the Secretary General on the Outcome of the 15th Session of the Conference of African Ministers of Industry (CAMI-15) - CM/2260(LXXVI)

150. The Assistant Secretary General for Community Affairs presented the Report of the 15th Ordinary Session of the African Ministers of Industry which took place from 29 to 30 October 2001 at Yaounde, Cameroon. He drew the attention of Council to the outcome of the meeting, with particular reference to the necessity for the continued existence of the CAMI, while ensuring increased participation of the private sector in the industrialization process in Africa. He invited all the Member States, as well as the Regional Economic Communities and other stakeholders in Africa's industrialization process to take all the necessary measures to implement the adopted resolutions.

151. Council took note of the Report and endorsed the recommendations contained therein.

3. Report of the Secretary General on the 4th General Assembly of the African Population Commission - CM/2261(LXXVI)

152. The report was introduced by the Assistant Secretary General in charge of the Community Affairs Department who recalled the establishment of the African Population Commission (APC) in 1994, and thereafter focused on the main population issues addressed by the 4th General Assembly of the APC, based on the theme "Mobilising Political Commitment for National Actions to address population activities within the framework of the African Union". He concluded by

expressing appreciation to the UNFPA for its continued support to the OAU.

153. In the ensuing discussions, the Minister of Senegal reminded the meeting about the Lusaka Decision on Migration which had recommended to work with IOM to identify programmes on the matter. He called on Member States to implement the decision.

154. The Council expressed appreciation for the presentation, took note of the report and approved the recommendations contained therein.

4. Report of the Secretary General on the 25th Session of the OAU Labour and Social Affairs Commission and on the Ministerial Conference on Employment and Poverty Alleviation in Africa - CM/2262(LXXVI)

155. Addressing the Council on this item, the Director General of the International Labour Organization (ILO), Mr. Juan Somavia, thanked the OAU Secretariat for inviting him to the meeting and stated that Africa's development was the challenge of the twenty-first century and, in particular, of the African Union. He stressed that a change of approach and attitude, as well as providing jobs to everybody was fundamental to achieve development in the continent. He highlighted that the ILO agenda was to promote decent work in every Member State, namely, employment promotion, social protection, fundamental principles and rights at work and social dialogue.

156. To take up this challenge, the Director General of ILO urged Africa, when translating the vision encapsulated in the Constitutive Act of the African Union into concrete regional strategies and programmes, to put employment as an objective in itself, and not as a by-product of macroeconomic policies. He also proposed that the delivery of a steadily increasing number of decent jobs should be one of the key performance indicators of the future success of the African Union and other initiatives including the NEPAD.

157. He underscored that the ILO has had a long history of beneficial collaboration with the OAU and the Regional Economic Communities (RECs). He also emphasized that the ILO was the only tripartite UN institution which promotes social dialogue as a key instrument for development.

158. Turning to globalization, he noted that its failure was due to the fact that it did not provide enough jobs to the increasing labour force worldwide. He referred to the outcome of the 25th Session of the OAU

Labour and Social Affairs Commission held in Ouagadougou which had focused mainly on employment promotion and poverty alleviation. He commended the Government of Burkina Faso and in particular, President Blaise Compaore for his support and commitment, and the OAU Secretary General Mr. Amara Essy for the holding of the conference.

159. Mr. Somavia then briefed Council on some key programmes being implemented by the ILO, on the Impact of HIV/AIDS at the Workplace, the Elimination of the Worst Forms of Child Labour, Crisis and Post Conflict Reconstruction as well as on the activities of the World Commission on Social Dimension of Globalisation recently established by the ILO under the co-chairmanship of President Mkapa of the United Republic of Tanzania and President Halonen of Finland.

160. The Assistant Secretary General in charge of Community Affairs Department then recommended to Council to endorse the report for onward transmission to the Heads of State and Government.

161. In the debate that ensued, the Head of delegation of Burkina Faso congratulated the Director General of the ILO for his statement. He recalled the decision taken in Lusaka in July 2001 to hold a Ministerial Meeting on Employment Promotion and Poverty Reduction, in conjunction with the 25th Session of the OAU Labour and Social Affairs Commission. He commended the uniqueness of tripartism which existed in Africa and was appreciative of the fact that during the meeting in Burkina Faso, the workers, the Employers and all stakeholders were coherent in their endeavour to find strategies to reduce poverty, promote social dialogue in the continent. He urged Council to recommend that the Labour and Social Affairs Commission be retained in the structure of the African Union.

5. Report of the Secretary General on the OAU Ministerial Conference on Drug Control in Africa CM/2263(LXXVI)

162. In presenting this agenda item, the Assistant Secretary General in charge of the Community Affairs Department recalled the magnitude of the socio-economic consequence of illicit drug trafficking and abuse of narcotic drugs and psychotropic substances in Africa, as emphasized by Council in Lusaka. The Council, had, in Lusaka, mandated the Secretariat to organize the First OAU Ministerial Conference on Drug Control in Africa.

163. It was within that context, that the OAU, in collaboration with the United Nations International Drug Control Programme (UNDCP)

had organized the First OAU Ministerial Conference on Drug Control in Africa, in Yamoussoukro, Cote d'Ivoire, 6 to 11 May 2002.

164. The Assistant Secretary General then informed Council that the Conference had addressed a message to the UN General Assembly Special Session on Children, requesting the Assembly to accord priority to the measures designed to shield and protect children from the influence of drugs and other narcotic and psychotropic substances.

165. He concluded his presentation by informing Council that the OAU/UNDCP Joint Project would end in July 2002, and that Council had in Lusaka approved the setting up of a Drug Control and Crime Prevention Unit within the African Union (AU).

166. The Assistant Secretary General then recommended that for continuity of the drug control programme in OAU/AU, Council could direct the Secretariat to set up an Interim Drug Control and Crime Prevention Unit that would be manned by the current International Expert on Drug Control.

167. In the ensuing discussion, the Foreign Minister of Nigeria, recalled that the Lusaka Summit of 2001, discussed the difficulties in the drug control programme in the OAU, and that the OAU/UNDCP Drug Control Programme was coming to an end then, without having achieved most of its objectives. Therefore, Council had appealed to the UNDCP for an extension of one year in order to enable the OAU to ensure that the programme's objectives were realized and a work programme developed for the OAU with appropriate institutional support. He expressed appreciation to the UNDCP for the one year extension, and commended the OAU Secretariat for organizing a very successful Ministerial Conference; and for its efforts at raising awareness on the menace posed by drugs to the future of Africa. He also expressed its appreciation to the Government of Cote d'Ivoire for hosting the Conference. He also paid tribute to the UNDCP, the Organization of American States (OAS), the Governments of Britain, Germany, Italy and Sweden for the financial and moral support which had ensured the success of the Ministerial Conference.

168. Council was then urged to endorse all the recommendations submitted to it by the Yamoussoukro Conference which included a review and update of the OAU Plan of Action on Drug Control; a Common African Position for the Ministerial Segment of the Commission on Narcotic Drugs (CND) to be held in Vienna, Austria in April 2003, and the dedication of the All Africa Games to be held in

2003 in Abuja, Nigeria with the theme “SPORTING AGAINST DRUG ABUSE IN AFRICA” to the fight against drug abuse.

169. In conclusion, the Nigerian Foreign Minister then stressed the need for the OAU/AU to provide funds within its budget for the project, and the availability of properly trained staff to handle drug issues as the fundamental requirements for the sustenance of the programme.

170. He paid tribute to the International Expert on Drug Control, who had been seconded by the Government of the Federal Republic of Nigeria. The outcome of the Ministerial Conference, he continued, was a testimony to her efforts, as drug control issue has been firmly placed on Africa’s agenda. He then called for a properly worked out Decision or Declaration by Council, to reflect the issues he had raised.

171. The Foreign Minister of Kenya, while supporting the proposals made by Nigeria, recommended that for the sustenance of the drug control programme, the AU should create the Drug Control and Crime Prevention Unit and stressed the need for staff training on drug control.

172. Council took note of the report and approved the recommendations.

6. a) **African Convention on the Conservation of Nature and Natural Resources - CM/2265 (LXXVI)**
- b) **African Process for the Development and Protection of the Marine and Coastal Environment (Proposed by the Federal Republic of Nigeria)**
- Doc. CM/2264(LXXVI) Add.2
- c) **Proclamation of an African Day of Environment (Proposed by the Great Socialist People’s Libyan Arab Jamahiriya) - Doc. CM/2264(LXXVI) Add.3**

173. In introducing the item, the Assistant Secretary General in charge of the Community Affairs Department, gave the rationale behind the request for the revision of the Algiers Convention. He stressed that the revision had taken into consideration the relevant provisions of the recent OAU policy documents, as well as the current international environmental, in particular conventions on natural resources. He further indicated that the revision had also taken into account current issues in formulating multilateral conventions and modern concepts and practices for management of natural resources.

He informed the meeting that the revised Convention would allow Parties to cooperate in the management of transboundary resources in Africa, and to simultaneously discharge their international obligations with respect to other international conventions that they might be Parties to. He concluded by urging Council to recommend the report for adoption by the Summit, so that it could be submitted for signature in Johannesburg in September 2002, during the World Summit on Sustainable Development (WSSD).

174. During deliberations on that item, delegations informed the Council that the Convention would be examined by their national legal experts, in order to ensure its compatibility with their national legislation, and therefore recommended suspension of a decision on the matter pending more clarification from their experts. Council was then reminded by the Secretariat, that the forthcoming WSSD was being held in Africa, because the Continent had suffered more serious than others from environmental problems, and that it would not be wise for Africa not to present the revised Convention during that Summit. Council finally recommended that Member States should examine the draft Convention as soon as possible and send their comments to the Secretariat to enable it to finalize the draft Convention, as soon as possible, and send their comments to the Secretariat to enable it to finalize the draft Convention for submission to WSSD.

175. The delegation of Nigeria then introduced a related item on an African Process for the Development and Protection of the Marine and Coastal Environment, which had been submitted under Items Proposed by Member States. The delegation recalled that Nigeria, as Chairman of the Committee on Environment, had raised the issue of Africa's contribution to the WSSD, at the Lusaka Summit. In that regard, a preparatory meeting under the auspices of President Olusegun Obasanjo had been held from 17 to 19 June 2002 in Abuja where the condition of marine and coastal environment was identified as a major constraint to sustainable development.

176. The Nigerian delegation further recalled that the initiative of July 1998 in Maputo and the Cape Town Conference of December 1998 had identified the causes of coastal degradation as well as proposed recommendations to address them. It added that, at the Abuja meeting, five themes had been identified and a draft Resolution formulated, built on the fact that sustainable development was highly dependent on the proper management of natural resources.

177. The meeting was then informed that the Process was highly supported by international partners as a means to alleviate poverty.

Finally, the delegation tabled a draft decision to be endorsed by Heads of State and Government on the matter.

178. In the ensuing discussion, Council recognized the utmost importance of the issue and proposed to enlarge the membership of the Committee in order to give the opportunity to all interested Member States to contribute to the discussion. It then amended paragraph two of the draft decision to read as follows: "Also invites all African countries to support and actively participate in the Africa Process for the development of the coastal and marine environment, through, inter-alia, regional and sub-regional project proposals under the five identified themes", and agreed to its submission to the Assembly of Heads of State and Government for endorsement.

179. Another related item, namely the Proclamation of an African Day of Environment, was then introduced by the delegation of the Great Socialist People's Libyan Arab Jamahiriya. The delegation gave some background information on the rationale behind the proposal, including the proliferation of natural resources on the Continent, variety of climate and the pillage of African forests for timber by former colonialists. It then proposed the proclamation of the Third of March of each year, as an African Day of Environment. It underscored the fact that the proposal bore no budgetary implications for the Organization, but would contribute to raising the awareness of the African population of the importance of environment. To mark the event, it suggested that countries could organize seminars and workshops, as well as excursions, to enable citizens to be acquainted with the natural reserves and environmental wealth of their respective countries.

180. Council supported fully the proposal of proclaiming March 3 of every year African Day of Environment and contributed ideas on its celebration. It took note of the reservations by Malawi as March 3 is observed as Heroes' Day in Malawi.

V. **CONSIDERATION OF THE REPORT OF THE COMMITTEE OF AMBASSADORS AND OTHER PLENIPOTENTIARIES**

181. The Report was presented by Mr. Mame Balla Sy, Ambassador of the Republic of Senegal to Ethiopia, and Chairman of the 15th Ordinary Session of the Committee of Ambassadors and Other Plenipotentiaries. Ambassador Mame Sy informed Council that the meeting of Ambassadors took place in a climate of tolerance and serenity marked by the common determination of the Permanent Representatives to keep in line with the move towards the Union. He recalled the following main points of the Report:

- the Committee of Ambassadors noted with serious concern the financial situation of the Organisation with regard to arrears of contributions and proposed that Council appeal to Member States with outstanding contributions to urgently fulfill their obligations in order to provide the African Union with the necessary means for implementation of its programmes;
- concerning the scale of assessment, the Committee was faced with a complex issue namely, a proposal to reduce the ceiling of contributions for some States and increase the lower limit for others, and recommended that the matter be referred to Council to authorize experts appointed by Member States to continue in their search for an appropriate solution;
- with regard to the Review of Conditions of Services of current OAU Staff, Council was informed that the study conducted by the Secretariat on the issue as recommended in March 2002, had not been submitted in time to the Committee for consideration. Furthermore, the study contained discrepancies which did not allow the Ambassadors to make informed recommendations to Council on the request by the Secretariat for a 69.8% salary increase in compliance with the conclusions of the study. Consequently, since the report was not satisfactory to the Committee, on the basis of the compromise obtained which takes due account of the difficult working conditions of OAU staff, the Ambassadors recommended that Council adopt a nominal provisional increase of 15% across the board, pending the finalization of the study and the adoption of the new structures of the Commission.
- Concerning social and economic matters, Ambassador Mame Sy drew the attention of Council to discussions on pandemics such as HIV/AIDS, Malaria, Tuberculosis and Tse-Tse fly which wreck havoc on the continent.

182. Touching on legal issues, the Report highlighted the status of ratification of some legal instruments, notably the Protocol on the Pan-African Parliament. Council was informed that the Protocol had been signed by twenty one (21) countries and that out of the 27 ratifications necessary to ensure the entry into force of the Protocol, only Four (4)

countries, namely Botswana, Mali, Sahrawi Arab Democratic Republic and South Africa had ratified it.

183. Council was also informed that the States which had not ratified the Constitutive Act were legally not Members. However, the recommendation of the Committee was that account be taken of the spirit of the African Union so as to enable all States invited to attend the inaugural Assembly. At the same time, the Committee had called on those States concerned to accelerate the ratification process.

184. The Chairman of the Committee concluded by informing Council of the message of encouragement issued to the “Africa Helps Africa” Association, an African initiative to promote mutual financing and solidarity which had already made its mark in certain parts of the Continent and recommended that Council encourage this endeavour and authorize specific resource mobilization activities to support this initiative.

185. Following a brief exchange of views on the report and on the financial implications of the proposal to increase salaries of OAU staff as well as the availability of funds, Council adopted the Report without amendments and requested the Secretary General to ensure scrupulous implementation of the recommendation for a 15% nominal provisional salary increase.

186. Following the footsteps of the Committee of Ambassadors, Council paid tribute to the humanitarian organization “Africa Assists Africa” (AAA) for its laudable activities. The Senegalese Foreign Minister thanked Council for its commendations and encouragement for the AAA, headquartered in Dakar and proposed fund-raising activities such as galas and Inter-African football tournaments to finance the Organization.

187. Several delegations supported this proposal.

188. Finally, Council launched an appeal to States which had not yet ratified the Protocol on the Pan African Parliament to do so as soon as possible in order to accelerate the process of the African Union.

189. Attention of Council was drawn to the paragraph of the report dealing with the UN Convention to Combat Desertification and the need for Africa to call for international financial mechanism for its implementation, being the continent most affected by drought and desertification. Council agreed that Africa should push for the creation of such a financing facility for the UNCCD at the forth coming World Summit on Sustainable Development, scheduled for September

2002 in South Africa. In addition, it was agreed that the use of the resources of the Global Environmental Fund for the same purpose should be pursued at the Conference.

VI. **ITEMS PROPOSED BY MEMBER STATES**

1. **Development of Human Resources for Health in Africa
(Proposed by the Republic of Congo) -
CM/2264(LXXVI)Add.1**

190. The Report on Development of Human Resources for Health in Africa: Challenges and Opportunities for Action, was introduced by Honourable Rodolphe Adada, Minister of Foreign Affairs of the Republic of Congo, who called on the Council to consider the problem of brain drain, whereby African trained professionals had fled the continent to practise abroad. He underlined that the situation was currently acute, especially in the health sector, in which the continent was tackling the AIDS pandemic and other emergencies. The Minister noted that, while abroad, African professionals acquire knowledge and experience which could be advantageous to their countries of origin. He added that the Report was based on the Strategy of the WHO Africa Regional Office. He concluded with a proposal that year 2004 be declared the year for Development of Human Resources for Health in Africa.

191. Prior to opening the floor for discussion, the Chairperson of the Session reiterated the seriousness of the matter which had been discussed in the past, but not dealt with effectively. She noted that projections had indicated that brain drain would be worse in future, unless Africa intervened early.

192. In the ensuing discussion, the Council noted the importance of the topic and congratulated the Republic of Congo for introducing it. Council reiterated the importance of health in the life of the individual and general economic development. It then recalled the Migration for Development in Africa (MIDA) Programme which had been introduced to the 2001 OAU Summit by the IOM (International Organisation for Migration) stressing its relevance as a channel for professionals to serve their countries of origin. Council was reminded that many professionals were willing to return home provided the conditions were attractive and comparable.

193. It was emphasized that Human Resources Development (HRD) was very relevant to development programmes like NEPAD. A number of delegations outlined the challenges faced and the efforts that had been undertaken in their countries to develop infrastructure and human resources, and/or encourage the return of professionals in the

diaspora. Some delegations briefed the Council on the benefits their countries had derived from South-South Cooperation, particularly involving Cuban doctors. They noted, however, that the problem of brain drain applied to all economic development sectors and not just health.

194. Council then adopted the Report and agreed that:

- i) Efforts be made to develop human resources in Africa with emphasis on health.
- ii) 2004 be declared the Year for Development of Human Resources (for Health).
- iii) South-South and North-South Cooperation should be promoted with focus on human resource development.
- iv) The OAU/AU and the IOM intensify support for the MIDA Programme.
- v) The OAU/AU consider human resources development in the context of NEPAD.

2. Implementation and Universality of the Convention on the Prohibition Development and Production of Chemical Weapons - (Proposed by the Republic of the Sudan) - CM/2264(LXXVI) Add.5

195. This item was introduced by Dr. Moustafa Osman Ismail, Foreign Minister of the Sudan. Having recalled the contents of the Convention, he briefly highlighted the advantages of membership of the Organisation for the Prohibition of Chemical Weapons (OPCW) for African countries, in terms of assistance for development of scientific and technical infrastructure of Member States as well as strengthening capacities for peaceful utilization of chemicals.

196. He also informed Council that his Government, in cooperation with the Organisation for the Prohibition of Chemical Weapons had organized in Khartoum, from 9 to 11 March 2002, a seminar on the Convention on Chemical Weapons with a view to strengthening the capacities of African States Parties to the Convention, to implement this instrument as well as promote its universality on the continent, where 17 countries have still not signed the Convention. The Seminar culminated in the adoption by participants of a number of recommendations concerning, inter-alia, the need to establish a chemical weapons Free Zone in Africa. Concluding, the Minister

underscored the need for universalization of the Convention and its effective implementation in Africa.

197. Council expressed its support for the recommendations made by the Minister. In this respect, it was emphasized that Africa, which had never been involved in the manufacturing of weapons of mass destruction, including chemical weapons, should be at the vanguard of efforts aimed at promoting the Convention on the Prohibition of Chemical Weapons. It should, however, be pointed out that one delegation, while reaffirming its support for the United Nations decisions on the production of chemical weapons and other weapons of mass destruction, felt that given its particular situation, it could not endorse the recommendations that had been formulated.

3. The Return of the Pillaged African Monument: The Obelisk of Axum (Proposed by the Federal Democratic Republic of Ethiopia) - CM/2264 (LXXVI) Add.6

198. The above item was introduced by Mr. Tekeda Alemu, Minister of State for Foreign Affairs of Ethiopia who recalled that the Obelisk had been carted away in 1937 by the Italian Fascist occupation forces, and subsequently erected in front of the FAO Headquarters in Rome.

199. Since then, repeated initiatives have been undertaken by Ethiopia and numerous commitments to restitute the Obelisk, made by Italy. Unfortunately, Italy had never wanted to honour its commitments. Finding itself unable to evoke any technical argument, Italy had resorted to stalling tactics designed to unduly defer settlement of the issue.

200. As the efforts deployed by Ethiopia at bilateral level had proved fruitless, it had taken the decision to bring the issue to the attention of Council.

201. Furthermore, Ethiopia had been compelled to seize the OAU of the matter for another reason: Ethiopia was inviting the Organization whose most significant action had been the victorious struggle against colonialism in all its forms, to wage a final anti-colonial war, on the eve of its demise.

202. Lastly, just as it was obvious that the Obelisk had been stolen from Ethiopia, so it is evident that the Obelisk is part and parcel of the cultural heritage of the entire Continent.

203. All delegations supported the Ethiopian initiative and stressed the need to preserve Africa's cultural heritage.

204. Council recalled that, at a more global perspective, the question of restitution of Africa's cultural assets illegally exported had been discussed at the Africa-Europe Conference held in Cairo in April 2000. The OAU Follow-up Committee had entrusted to Egypt the preparation of appropriate proposals to constitute the African position on the matter. Egypt would submit a study on this matter to the next meeting of the Bi-Regional Group.

205. After deliberation, Council expressed unanimous support for Ethiopia's initiative.

4. Consideration of the on-going process aimed at drafting an additional Protocol to the Algiers Convention on Terrorism for the establishment of an operational mechanism of the said Convention (Proposed by the Republic of Senegal) - CM/2264 (LXXVI) Add.7

206. This item was briefly introduced by the Minister of Foreign Affairs of Senegal Mr. Cheick Tidiane Gadio who recalled the initiative taken by President Abdoulaye Wade, to convene an African Summit in Dakar on 17 October 2002, following the serious events of 11 September 2001 in the United States. The said Summit adopted the Dakar Declaration which called for the effective implementation of the Algiers Convention of 1999 on the prevention and combating of terrorism. The Minister indicated that Senegal had requested that this item be placed on the agenda so that Council could be informed of its implementation process.

207. In addition to this information, the Assistant Secretary General for Political Affairs briefed Council on efforts deployed by the OAU after the Dakar Summit, especially the Ministerial level meeting of the Central Organ on 11 November 2001 in New York and arrangements made for the holding in Algiers in June 2002, of a meeting of senior officials of Member States in sectors specialized in the combat of terrorism, to consider ways and means of devising a framework of action and appropriate modalities for the implementation of the Convention. This included the possible drafting of an additional Protocol or Plan of Action. He disclosed that the meeting could not be held as scheduled because of the necessity to allow for more time for adequate technical preparations by the Secretariat. The meeting was therefore postponed to September 2002. In this regard, the Secretariat was able to mobilize extra-budgetary resources to cater for two senior officials per Member State in order to facilitate their participation in the said meeting.

208. The Minister Delegate of Foreign Affairs of Algeria in charge of Africa and Maghreb Affairs also took the floor to confirm the holding of this meeting in Algiers from 11 to 13 September 2002 and expressed the hope that all Member States will send qualified experts in sectors specialized in combating terrorism. Furthermore, he expressed the willingness of his country, which had paid the heaviest toll in the fight against terrorism, to place its experience at the service of the international community and more especially at the service of Member States. The Algerian Minister appealed for the speedy ratification of the Algiers Convention.

209. One delegation proposed that the Algiers meeting should not focus only on the experience of African countries but also on international experience, especially since the funding sources of terrorism and arms trafficking are controlled and facilitated in countries outside the Continent, as already mentioned at meetings of the United Nations, the European Union and the Mediterranean Forum.

210. Council took note of all the information provided and once again appealed for the speedy ratification and effective implementation of the Algiers Convention. It also urged Member States to participate massively and at the required experts' level in the Algiers meeting with a view to the operationalization of the Convention.

DATE AND VENUE OF THE FIRST ORDINARY SESSION OF THE EXECUTIVE COUNCIL OF THE UNION

211. The Minister of Foreign Affairs and African Integration of the Republic of Chad, Mr. Mahamat Saleh, presented to Council his country's offer to host the First Session of the Executive Council of the African Union in N'djamena in February 2003.

212. Council accepted the offer with pleasure.

ANY OTHER BUSINESS

213. The Togolese Minister of Foreign Affairs and Cooperation Mr. Koffi Panou briefed Council on the programmes and activities of the Lome – based United Nations Centre for Peace and Disarmament. He underscored the Centre's role in addressing the increasing armed conflicts and the illicit proliferation of small arms and light weapons. He added that although the Centre's competent services were being highly sought after by Member States, its financial resources continued to dwindle owing to delays on the part of Member States to pay their assessed contributions. The Minister appealed to Member

States to pay their contributions, and added that his country was offering to host a Ministerial Meeting to mobilize resources for the Centre, and to examine the possibility of constituting a Group of Friends of the Centre to help promote its activities and mobilize the requisite resources:

214. Council took note with appreciation of the statement made by the Togolese Minister, and supported his appeal for mobilization of resources for the Centre.

215. The leader of the Tunisian delegation took the floor to inform Council of President Ben Ali's initiative in 1998 to establish a World Solidarity Fund, and gave an account of the progress achieved in implementing that initiative at the level of the United Nations System, as well as the on-going consultations between the OAU and the United Nations on that subject. Referring to his country's experience with a National Solidarity and Poverty Reduction Fund which helped to effectively reduce poverty in Tunisian villages, the Minister affirmed that the World Solidarity Fund would be of immense use to Africa in its fight against poverty. The Minister proposed that the OAU/AU Summit continue to support the efforts at enlisting approval for the United Nations Secretary General's report on the Fund whose mechanisms were expected to be put in place as expeditiously as possible.

216. Council strongly supported Tunisia's proposal and underscored the importance of the operationalization of the World Solidarity Fund for Poverty Reduction in Africa.

217. The leader of the Senegalese delegation in turn raised the issue of the role of women in the edification of the African Union. He underscored the importance of involving the African diaspora in the construction of the African Union; he also recalled the invaluable contributions of the Founding Fathers, of all those who championed the cause of Pan-Africanism, whether on the continent or in the diaspora, and called on Council to pay them a well deserved tribute.

218. Lastly, the leader of the Senegalese delegation highlighted the crucial role that had been played by Col. Muammar Al-Qaddafi, leader of the Libyan Revolution in the revival of the African Union project. Several delegations took the floor to support his declaration.

219. Council approved the proposals tabled by the Senegalese delegation regarding the effective involvement of women and the entire African diaspora in the work of the African Union.

REPORT OF THE MINISTERIAL COMMITTEE ON CANDIDATURES

220. The Chairman of the Ministerial Committee on Candidatures, Mr. Rodolphe Adada, Minister of Foreign Affairs of the Republic of Congo, presented to Council the Report of the Committee which met in two sessions, on 3 and 5 July 2002 to consider all the candidatures submitted by Member States. The recommendations were submitted to Council for endorsement.

221. Council endorsed all the recommendations submitted by the Committee.

X. ADOPTION OF THE DRAFT RAPPORTEUR'S REPORT

222. The Draft Report was presented by the Rapporteur, Mr. Kolawole A. Idji, Minister of Foreign Affairs and African Integration of the Republic of Benin. In his presentation, Mr. Idji drew Council's attention to the salient points of the Draft Report and recalled the main decisions and recommendations of the present session.

223. In the ensuing debate, Council adopted its Report with a few amendments. Council also examined and adopted thirty nine (39) Draft Decisions which are annexed to the Report. It also decided to refer some Draft Decisions and Declarations on which there was no consensus to the Assembly of Heads of State and Government for decision.

CLOSING

224. At the end of the debate, the Chairperson of the 76th Ordinary Session of the OAU Council of Ministers stated that on the eve of the official launch of the Union, Africa was going through a historic moment, namely the last session of the OAU. She observed that the Council was not here to bury the OAU, but rather to give birth to the African Union. Consequently, it was necessary to provide the Union with a mechanism to enable it to get off to a good start. She urged Africans to take stock of all the activities of the OAU and eschew those that would not serve the interests of the Union.

225. Following that intervention, some delegations took the floor to congratulate, on behalf of Council, the Chairperson on the able manner in which she had steered the Council Session.

226. Moving the vote of thanks, Mr. Mahamat Saleh, Minister of Foreign Affairs and African Integration of the Republic of Chad, expressed appreciation for the remarkable work done by Council, which marked a turning point in the life of the OAU. On behalf of his colleagues, he thanked the entire General Secretariat for its devotion to the cause of Africa. He also expressed the appreciation and profound gratitude of Council to the President, the Government and the people of South Africa for the warm welcome extended to all delegations and for the excellent facilities provided. He expressed the hope that the launch of the African Union would usher in a brighter and more prosperous future for Africa.

227. Following the motion, the Chairperson, on behalf of Council, thanked all those who, in one way or another, had contributed to the success of the meeting, and declared the 76th Session of the OAU Council closed.

