

AFRICAN UNION

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DIVISION OF COMMUNICATION AND INFORMATION

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THE EXECUTIVE COUNCIL ADOPTS ITS DECISIONS

Sirte, 3 July 2009 – The African Union Ministers of Foreign Affairs, meeting at their 15th Ordinary Session of the Executive Council in Sirte, the Great Socialist People's Libyan Arab Jamahiriya, ahead of the 13th Ordinary Session of the Assembly of Heads of State and Government, under the theme: “Investing in Agriculture for Economic Growth and Food Security”, adopted thirty seven (37) Decisions.

The Decisions constitute of the following:

- 1. African Committee of Experts on the Rights and Welfare of the Child:** The Ministers called on the States that have not yet submitted their reports to comply with the provisions of the African Charter on the Rights and Welfare of the Child and expedite the submission of their reports, and urged those that have not yet ratified the Charter to speed up the process;
- 2. Sixth Pan-African Conference of Ministers of Public Service:** the adoption of a draft Charter on the Values and Principles of Public Service and Administration and a Long-term Strategy on African Governance and Public Administration was welcomed by the ministers. To that effect, they requested the Commission to convene a Meeting of Experts from Member States for the finalization of the draft Charter on the Values and Principles of Public Service and Administration for submission through the Executive Council, to the Assembly at its ordinary session in July 2010; they further requested that the Commission should work with the African Ministries of Public Service and partner organizations on the implementation of the Long-term Strategy on African Governance and Public Administration; as well as follow up on the implementation of this Decision in order to report during the next Ordinary Session of Council in January 2010.
- 3. Pan-African University:** The Executive Council took note of the conclusions of the Report on the feasibility study on the Pan-African University as requested by the Bureau of the Conference of African Union Ministers of Education (COMEDAF III) and carried out by the Commission in conjunction with the United Nations Educational, Scientific and Cultural Organization (UNESCO). They requested the Commission to pursue actions leading to the effective establishment of the Pan-African University pursuant to the Plan of Action on the Second Decade of Education for Africa (2006-2015), and to submit a report to the Executive Council in 2010 on the final structure of the Pan-African University as well as on the distribution of its thematic institutions by region; the called on the Regional Economic Communities to engage actively in the process of establishing the thematic institutions of the Pan-African University.

4. General History of Africa: The Ministers welcomed the initiative of the United Nations Educational, Scientific and Cultural Organization (UNESCO) to produce eight volumes of 'The General History of Africa', written to create a sense of continental unity, build self identity, convey a message of integration, and contribute to tolerance and mutual understanding; they lauded the mobilization by the Libyan Arab Jamahiriya of resources for the General History of Africa Project; they called for the finalization of the project, under the leadership of the Commission in consultation with the African Ministers of Culture, in carrying out the following:

- i) Develop the Ninth Volume of the General History of Africa covering the recent history of decolonization, end of Apartheid and Africa's changing position in the World;
- ii) Develop school text books and other audio and visual teaching and learning materials for schools from the Volumes, within the framework of the Second Decade of Education for Africa;
- iii) Mobilize other partners in the translation of the materials into African and other languages;
- iv) Develop and implement a strategy for the dissemination of the materials.

5. Fourth Conference of African Ministers of Integration (COMAI IV): The Executive Council, requested the Commission, in collaboration with the African Development Bank (AfDB), to embark on a feasibility study on the establishment of a Continental Integration Fund ; they urged the Member States, the RECs and partner organizations to integrate the Minimum Integration Programme (IMP) adopted by the Yaoundé Conference, in their various development plans and/or activity programmes.

6. The Situation of Refugees, Returnees and Internally Displaced persons in Africa: The Ministers expressed gratitude for the sacrifices made by the host countries to give asylum to refugees in the spirit of solidarity and commends the efforts being made by Member States to promote voluntary repatriation, resettlement, and rehabilitation of areas of return for refugees and internally displaced persons; they welcomed the efforts by the international community for the assistance extended to the victims of forced displacement and urged the international community to continue assisting these populations in particular the vulnerable groups despite the global financial crisis.

7. Status of Signature and Ratification of OAU/AU Treaties: The Executive Council, requested the Commission to develop a mechanism aimed at lifting reservations previously entered by Member States to OAU/AU Treaties; the member States were called upon to prioritize and accelerate the signing and ratification/accession to OAU/AU Treaties and in particular to the Member States which are not yet States Parties to the following: The Treaty establishing the African Economic community relating to the Pan-African Parliament (Abuja Treaty 1991); The protocol establishing the African Economic Community relating to the Pan-African Parliament (2001); The protocol relating to the establishment of the Peace and Security Council of the African Union(2002); Protocol on the Statute of the African Court of Justice and Human Rights(2008).

- 8. Abusive use of the Principle of universal jurisdiction:** The Executive Council, invited Member States affected by the abuse of the Principle of Universal Jurisdiction by non-African States to communicate to the Commission the list and details of pending cases in non-African States against African personalities and to follow-up on the matter with a view to ensuring that a definitive solution to this problem is reached.
- 9. Election of Members of the African Commission on Human and Peoples' Rights:** The Executive Council, elected the following members of the African Commission on Human and Peoples' Rights: Mr. Mohammed Fayek (Egypt); Ms. Zainabo Kayitesi (Rwanda); Mr. Mohamed Bechir Khalfallah (Tunisia). They were recommended to the Assembly for appointment.
- 10. Election of the Eleven Members of the African Union Commission on International Law (AUCIL).** The following were elected: Mr. Ben Achour Rafea (Tunisia); Mr. Ebenezer Appreku (Ghana); Mr. Nkurunziza Donatien (Burundi); Mr. Minelik Alemu Getahun (Ethiopia); Mr. Filali Kamel (Algeria); Ms. Lilian Bokeeye Mahiri-zaja (Kenya); Mr. Adelardus Kilangi (Tanzania); Mr. Kholisani Solo (Botswana); Mr. Blaise Tchikaya (Congo); Mr. Atanazio Kayafa Tembo (Malawi); Mr. Cheikh Tidiane Thiam (Senegal).
- 11. African Union Commission Strategic Plan 2009-2012:** The Ministers recommended that the Strategic Plan 2009-2012 be adopted and authorized the Commission to implement it.
- 12. Implementation of the Decision on the African Common Position on Climate Change :** The Executive Council, requested the Commission, in collaboration with partners, to elaborate the comprehensive African strategy on climate change, including development of sector technical back-up data on the impacts of climate change, its cost to the economy and the amount of carbon sequestered in various African ecosystems; they recommended that the Assembly approves the Commission's request for the establishment of a Unit for Climate Change and Desertification Control at the Commission, the requested the Commission and the Secretariat of the New Partnership for Africa's Development (NEPAD), in collaboration with the United Nations Environment Programme (UNEP), the United Nations Economic Commission for Africa (UNECA), the African Development Bank (AfDB) and other partners to support the Regional Economic Communities and Member States in the implementation of measures to address the concerns of climate change.
- 13. Accession of the African union to the United Nations Framework Convention on Climate Change (UNFCCC) and the Kyoto protocol:** The Executive Council, requested the Commission to provide the financial and legal implications for its accession to UNFCCC and the Kyoto Protocol, to the next ordinary session of the Executive Council in January 2010.
- 14. African Ministerial Conference on Environment (AMCEN) Special Session on Climate Change:** The Executive Council, endorsed the recommendations reached at the Third Special Session of AMCEN on the African process for combating climate change, and called on the Commission to support and facilitate the implementation of the decisions and recommendations of the Third Special Session of AMCEN and to report regularly to the Executive Council.

15. **Afro-Arab Cooperation:** The Executive Council, welcomed the offer by the Government of Iraq to host the First Edition of the Afro-Arab Development Forum in 2010 and requested the commission in collaboration with LAS to ensure maximum participation of Africa and Arab private sectors, civil societies including researchers, academicians and prominent individuals at this edition;
16. **Outcome of Second AU/ECA Joint Conference of African Ministers of Finance, Planning and Economic Development:** The Executive Council, called on Member States to sign and ratify the Charter as speedily as possible to enable it to enter into force and thereby offer a regulatory and coordination framework for production of harmonized statistics in the continent; they urged the Commission to work closely with Member States, the Regional Economic Communities (RECs), UNECA, the African Development Bank (AfDB) and the African Capacity Building Foundation (ACBF) to establish a coordination, monitoring and evaluation mechanism for implementation of the African Charter on Statistics; requested the the Commission to organize, in collaboration with the RECs, the Association of African Universities, the academia and research institutes in Africa, the Second Congress of African Economists in 2010 and submit the outcomes and recommendations thereof to its next ordinary session in June 2010. They asked the Commission to work in collaboration with UNECA and AfDB, to organize consultative regional workshops with a view to preparing the report on the progress made towards achieving the MDGs.
17. **Pan-African media observatory:** The Executive Council, requested the Commission to submit the draft for thorough consideration by media experts of Member States and thereafter to the next Conference of Ministers of Information whose recommendations will be submitted to the ordinary session of the Executive Council in June/July 2010.
18. **Trust fund for African women:** The Executive Council expressed satisfaction to the commencement of the feasibility study for the establishment of the Trust Fund by the African Development Bank (AfDB) and called on the AfDB to finalize the study in a timely manner; they further agreed to extend the launching of the Trust Fund initially scheduled for the July 2009 ordinary session of the Assembly to the session in January 2010.
19. **Twenty-sixth activity report of the African commission on human and peoples' rights:** The Executive Council, reiterated that ACHPR identify possible ways to overcome financial and human resources shortcomings in the functioning of communication mechanism and to report to the Executive Council.
20. **The economic, social and cultural council (ECOSOCC):** The Executive Council, acknowledged the progress made by ECOSOCC since its launch to ensure that it contributes effectively to the work of the African Union; they welcomed the action taken by all those concerned to ensure the completion of elections in Member States where elections had not previously been held as required by the Sharm El-Sheikh July 2008 Decision.
21. **Negotiations of Economic Partnership Agreements (EPAs) :** The Executive Council, that development-oriented EPAs that provide adequate policy space, address supply-side constraints ,and reinforce AU regional integration initiatives can assist the Member States in meeting the challenges relating to trade and economic development;

urging the EPAs negotiating parties to take into account the lessons from the global financial crisis in the conclusion of comprehensive EPAs agreements; they reaffirm the need for the European Union (EU) to adequately address, within the context of the negotiations of comprehensive EPAs, the contentious issues identified by the Joint Conference of AU Ministers of Trade and Finance held in Addis Ababa, Ethiopia in March 2008; the Ministers further requested Africa's negotiating groups/countries to utilize the EPAs Template as a broad set of guidelines and should be considered as a work in progress to strengthen coherence in Africa's positions in the EPAs process and preserve its developmental objectives; they urged the Commission to continue to coordinate and harmonize the positions of Africa's negotiating groups/countries in the EPAs negotiations and called on the groups/countries to facilitate the Commission's coordinating role.

22. Sixth meeting of the African Chiefs of Defense Staff and Heads of Safety and Security services and the third ordinary meeting of the African ministers of defense, safety and security on the operationalization of the African standby force: The Executive Council, requested the Commission, to work closely with the relevant Regional Economic Committees (RECs)/Regional Mechanisms (RMs), as well as Member States, to vigorously pursue its efforts in order to meet the 2010 deadline for the full operationalisation of the various ASF components, as included in the Declaration; they further requested the Commission to ensure that Exercise AMANI AFRICA, aimed to test the operationalisation of the ASF, is conducted within schedule.

23. Durban review Conference Relating to the Evaluation of the World conference against racism, racial discrimination, xenophobia and related intolerance: The Executive Council, reiterated its commitment to continue to prevent, combat and eliminate racism, racial discrimination, xenophobia and related intolerance, on the basis of the 2001 World Conference Against Racism; they appealed to Member States to implement all the commitments emanating from the international and regional conferences, and to formulate national policies and plans of action to prevent, combat and eliminate racism, racial discrimination, xenophobia and related intolerance; the Ministers further urged the Commission to strengthen the interaction and synergy between the various Organs and Structures concerned as well as ensuring effective coordination with the relevant African groups with the view to adopting an African Common Position in different international fora/systems.

24. Multilateral Cooperation

The Executive Council, endorsed the holding of the Second Africa-South America Summit in Caracas, Venezuela in September 2009 as follows: 14-15: Senior officials meeting; 16-17: Ministerial meeting; and 18-19: Summit.

25. Appointment of Members of the African Union Board of External Auditors: The Executive Council, appointed the following Member States to serve on the Board of External Auditors for the Financial Year 2009-2010:

Central African Region: Cameroon; Chad

Eastern African Region: Mauritius; Sudan

Northern African Region: Egypt; Alternate Member: Libya

Southern African Region: South Africa; Lesotho

Western African Region: Gambia; Ghana; Niger; Alternate Member: Togo.

26. Increase allowances of African Union Elected Officials and Staff: The Executive Council, recommended based on the review, to increase the allowances of the elected officials and staff members of the Commission as follows:

- i) **Post Adjustment Allowance:** Forty-five percent (45%) of the difference between the AU multiplier and the average of the International Civil Service Commission's (ICSC) Post Adjustment rates for the period May 2008 – April 2009;
- ii) **Housing Allowance:** Twenty percent (20%) increase at the current housing allowance;
- iii) **Education Allowance:** Twenty percent (20%) increase at the current Education allowance for both international and local staff.

They also approved the recommendation to revise the periodicity of review of staff salaries and allowances from five (5) years to three (3) years.

27. African Union Accession to United Nations Convention to Combat Desertification (UNCCD): The Executive Council, recognised the importance of the United Nations Convention to Combat Desertification (UNCCD) in those countries experiencing serious drought and/or desertification, particularly in Africa for the livelihoods of millions of Africans affected by land degradation, desertification and drought; they requested the Commission to provide the financial and legal implications of this proposal and to report to the next Ordinary Session of the Executive Council in January 2010.

28. Fourth Session of the AU Conference of Ministers of Health, Addis Ababa, Ethiopia, 4 – 8 may 2009: The Executive Council, requested the Commission to submit a status report biennially on the implementation of the recommendations of the Conference of Ministers of Health to the Executive Council.

29. Selection of a New Flag for the African Union: The Executive Council, recommended that the matter be submitted to the Assembly for consideration.

30. The Situation in Palestine and the Middle East: The Executive Council reiterated its full support for the legitimate struggle of the Palestinian people against the Israeli Occupation under the leadership of the Palestine Liberation Organization (PLO), their sole and legitimate representative, to obtain their inalienable national rights, including their right to self-determination, return to their homeland and property, and to live in peace and stability in an Independent Palestinian State with Al-Quds Al-sharif (Jerusalem) as its capital. They reaffirmed their full support for a peaceful solution of the Arab-Israeli conflict on the basis of the principles of the International Law and all relevant resolutions, and called upon Israel to end its occupation of the Palestinian and Arab territories; The Ministers expressed their serious concern at the statement made by the new Israeli administration rejecting the creation of an independent Palestinian

State with Jerusalem as its capital an end to settlements in the Palestinian territories and called upon the Israeli Government to fulfill its obligations and to move forward in the peace process on the basis of the resolutions on international legitimacy, agreements signed and the principle of land for peace; they further requested Israel to accept the principle of negotiations with the Palestinian side in order to find a peaceful, comprehensive, just and lasting solution to the ongoing conflict in the Middle East; they urged the government of Israel to put an end to its occupation of all Arab lands occupied since 1967, including the Syrian and Lebanese territories, and to abide by the relevant UN Security Council Resolutions, particularly Resolutions 242 and 338, the Madrid Declaration, the Land for Peace Principle, the Arab Peace Initiative and the Road Map, in order to reach a just, comprehensive, lasting and peaceful solution to the Arab-Israeli Conflict.

31. African Candidatures within the International System :The Executive Council, requested the Commission to convey to the Secretary General of the United Nations the importance of respecting the principle of rotation in filling the senior positions of all Organs, Agencies, Funds and Programmes of the United Nations System, including the position of Secretary General of UNCTAD, hence ensuring the rightful share of Africa in such positions;

32. Proposals made by the Great Socialist People's Libyan Arab Jamahiriya for the Establishment of an African Defense Council and an African Agency for the Protection of Territorial and Economic Waters for African Countries: The Executive Council, took note of the proposals made by the Great Socialist People's Libyan Arab Jamahiriya for the establishment of an African Defense Council, as well as an African Agency for the Protection of Territorial and Economic Waters of African Countries; they recommended that these matters to the Assembly for consideration.