

**INSTITUTIONS OF THE AEC**

Article 7(1) establishes the institutions of the AEC. These are: (a) the Assembly; (b) the Council of Ministers; (c) the Pan-African, Parliament; (d) the Economic and Social Commission; (e) the Court of Justice; (f) the General Secretariat; and (g) the Specialised Technical Committees.

**The Assembly**

The Assembly, which is the supreme organ of the AEC, has legislative and supervisory functions and is responsible for implementing The objectives of the AEC and to that end it has the power to, inter alia, determine the general policy of the AEC and harmonise the sectoral policies of the Member States, approve the AEC's programme of activity and budget, on the recommendation of the Council, refer matters to the Court of Justice, and take any action to attain the objectives of the AEC.

**The Council**

The Council is responsible for the functioning and development of the AEC and to that end it has the capacity, inter alia, to make recommendations and submit proposals to the Assembly concerning programmes of activity and budget of the AEC, request advisory opinions from the Court of Justice, and guide the activities of the subordinate institutions of the AEC.

**The Parliament**

The Pan-African Parliament is established with a view to ensuring the participation of the peoples of Africa in the running of the AEC. However, its composition, functions and powers are undefined, the details simply left to a later protocol. There is therefore no indication whatsoever how the people are to be involved nor whether the Parliament is meant to exercise any democratic accountability over the AEC. Neither is there any intimation as to whether it will have legislative or supervisory powers.

The Treaty's framework suggests that the answer should be in the negative since all legislation is, directly or indirectly, adopted by either the Assembly or the Council and the supervision of the activities of the ABC institutions has been entrusted to the Court of Justice. The European Parliament obviously provides a model but whether the political will exists to set up a democratically elected supranational body, over which the Member States can exercise little or no control, must be open to question.

### **The Commission**

The Economic and Social Commission is composed of the ministers responsible for economic development, planning and integration of the Member States. The Commission, which has not been granted any decision-making power, is expected to, inter alia, prepare policies and strategies for co-operation in the fields of economic and social development among African countries, and between Africa and the international community, and make recommendations to the Assembly, through the Council, on the co-ordination and harmonisation of the activities of the regional economic communities; to co-ordinate, harmonise and supervise the activities of the Secretariat and the Committees; to examine and assess the reports and recommendations of the Committees and forward them to the Assembly, through the Council; and supervise the preparation of international negotiations and report to the Assembly, through the Council.

### **The Secretariat**

The Secretary-General directs the activities of the Secretariat and is charged with securing the implementation of the Assembly's decisions and the application of the Council's regulations; promoting development programmes and drafting studies with the aim of attaining the objectives of the AEC; draft proposals on the programme of activity and budget and secure their implementation upon approval by the Assembly; and submit a report on the activities of the AEC to the meetings of the Assembly, the Council and the Commission. The Secretary-General is a full participant in the meetings and deliberations of the regional economic communities.

## **The Committees**

Provision is made for seven specialised technical committees, on Rural Economy and Agricultural Matters, on Monetary and Financial Matters, for instance, composed of representatives from the Member States. Their function is, *inter alia*, to prepare projects and programmes for submission to the Commission, to co-ordinate and harmonise the projects and programmes of the AEC, to report to the Commission on the implementation of the Treaty, and to ensure the supervision, follow-up and the evaluation of the decisions of the institutions of the AEC. It seems that the term 'decisions' in this context refers to 'secondary legislation only, that is, Council decisions and Commission regulations.

## **The Court of Justice**

A matter of some importance is the creation of a Court of Justice assigned with the task of ensuring adherence to the law in the interpretation and application of the Treaty and deciding on disputes submitted to it under the Treaty. The Court, the independence of which is guaranteed, is endowed with jurisdiction over actions brought by a Member State or the Assembly on grounds of a violation of the Treaty or of a legislative measure, or on grounds of lack of competence or abuse of powers by an organ or a Member State. Furthermore, it should be observed that the Assembly might refer any dispute concerning the Protocol on the Relationship between the African Economic Community and the Regional Economic Communities to the Court as a measure of 'last resort'. The Court can also issue advisory opinions at the request of the Assembly or the Council. The Assembly may additionally confer on the Court of Justice jurisdiction over any dispute other than those referred to in Article 18(3)(a). The judgments of the Court are binding on Member States and institutions of the AEC. They are final and not subject to appeal.

**CONSTITUTIVE ACT OF THE AFRICAN UNION**

We, Heads of State and Government of the Member States of the Organisation of African Unity (OAU):

1. The President of the People's Democratic Republic of Algeria
2. The President of the Republic of Angola
3. The President of the Republic of Benin
4. The President of the Republic of Botswana
5. The President of Burkina Faso
6. The President of the Republic of Burundi
7. The President of the Republic of Cameroon
8. The President of the Republic of Cape Verde
9. The President of the Central African Republic
10. The President of the Republic of Chad
11. The President of the Islamic Federal Republic of the Comoros
12. The President of the Republic of the Congo
13. The President of the Republic of Cote d' Ivoire
14. The President of the Democratic Republic of Congo
15. The President of the Republic of Djibouti
16. The President of the Arab Republic of Egypt
17. The President of the State of Eritrea
18. The Prime Minister of the Federal Democratic Republic of Ethiopia
19. The President of the Republic of Equatorial Guinea
20. The President of the Gabonese Republic
21. The President of the Republic of Gambia
22. The President of the Republic of Ghana
23. The President of the Republic of Guinea
24. The President of the Republic of Guinea Bissau
25. The President of the Republic of Kenya
26. The Prime Minister of Lesotho
27. The President of the Republic of Liberia

28. The Leader of the 1st of September Revolution of the Great Socialist People's Libyan Arab Jamahiriya
29. The President of the Republic of Madagascar
30. The President of the Republic of Malawi
31. The President of the Republic of Mali
32. The President of the Islamic Republic of Mauritania
33. The Prime Minister of the Republic of Mauritius
34. The President of the Republic of Mozambique
35. The President of the Republic of Namibia
36. The President of the Republic of Niger
37. The President of the Federal Republic of Nigeria
38. The President of the Republic of Rwanda
39. The President of the Zahrawi Arab Democratic Republic
40. The President of the Republic of Sao Tome and Principe
41. The President of the Republic of Senegal
42. The President of the Republic of Seychelles
43. The President of the Republic of Sierra Leone
44. The President of the Republic of Somalia
45. The President of the Republic of South Africa
46. The President of the Republic of Sudan
47. The King of Swaziland
48. The President of the United Republic of Tanzania
49. The President of the Republic of Togo
50. The President of the Republic of Tunisia
51. The President of the Republic of Uganda
52. The President of the Republic of Zambia
53. The President of the Republic of Zimbabwe

**INSPIRED** by the noble ideals which guided the founding fathers of our Continental Organisation and generations of Pan-Africanists in their determination to promote unity, solidarity, cohesion and co-operation among the peoples of Africa and African States;

**CONSIDERING** the principles and objectives stated in the Charter of the Organisation of African Unity and the Treaty establishing the African Economic Community;

**RECALLING** the heroic struggles waged by our peoples and our countries for political independence, human dignity and emancipation;

**CONSIDERING** that since its inception, the Organisation of African Unity has played a determining and invaluable role in liberation of the continent, the affirmation of a common identity and the process of attainment of the unity of our continent provided a unique framework for our collective action in Africa and in our relations with the rest of the world.

**DETERMINED** to take up the multifaceted challenges that confront our continent and peoples in the light of the social, economic and political changes taking place in the world;

**CONVINCED** of the need to accelerate the process of implementing the Treaty establishing the African Economic Community order to promote the socio-economic development of Africa and to face more effectively the challenges posed by globalisation.

**GUIDED** by our common vision of a united and strong Africa and by the need to build a partnership between government segments of civil society, in particular women, youth and the private sector, in order to strengthen solidarity and cohesion peoples;

**CONSCIOUS** of the fact that the scourge of conflicts in Africa constitutes a major impediment to the socio-economic development the continent and of the need to promote peace, security and stability as a prerequisite for the implementation of our development and integration agenda;

**DETERMINED** to promote and protect human and peoples' rights, consolidate democratic institutions and culture, and to good governance and the rule of law;

**FURTHER DETERMINED** to take all necessary measures to strengthen our common institutions and provide them with necessary powers and resources to enable them to discharge their respective mandates effectively;

**RECALLING** the Declaration which we adopted at the Fourth Extraordinary Session of our Assembly in Sirte, the Great Socialist Peoples Libyan Arab Jamahiriya, on 9.9. 99, in which we decided to establish an African Union, in conformity with the ultimate objectives of the Charter of our Continental Organisation and the Treaty establishing the African Economic Community;

**HAVE AGREED AS FOLLOWS:**

#### **Article I Definitions**

##### **In this Constitutive Act**

“Act” means the. present Constitutive Act,

“AEC” means the African Economic Community;

Assembly” means the Assembly of Heads of State and Government of the Union;

“Charter” means the Charter of the OAU;

“Commission” means the Secretariat of the Union;

“Committee” means a Specialised Technical Committee of the Union;

“Council” means the Economic, Social and Cultural Council of the Union;

“Court” means the Court of Justice of the Union;

“Executive Council” means the Executive Council of Ministers of the Union;

“Member State” means a Member State of the Union

“OAU” means the Organisation of African Unity

“Parliament” means the Pan-African Parliament of the Union;

“Union” means the African Union established by the present Constitutive Act

## **Article 2 Establishment**

The African Union is hereby established in accordance with the provisions of this Act.

## **Article 3 Objectives**

The objectives of the Union shall be to:

- (a) achieve greater unity and solidarity between the African countries and the peoples of Africa.
- (b) defend the sovereignty, territorial integrity and independence of its Member States;
- (c) accelerate the political and - integration of the continent;
- (d) promote and defend African common positions on issues of interest to the continent and its peoples;
- (e) encourage international co-operation, taking due account of the Charter of the United Nations and the Universal Declaration of Human Rights;
- (f) promote peace, security, and stability on the continent;
- (g) promote democratic principles and institutions, popular participation and good governance;
- (h) promote and protect human and peoples' rights in accordance with the African Charter on Human and People and other relevant human rights instruments;
- (i) establish the necessary conditions which enable the continent to play its rightful role in the global economy an international negotiations;
- (j) promote sustainable development at the economic, social and cultural levels as well as the integration of Africa economies;
- (k) promote co-operation in all fields of human activity to raise the living standards of African peoples;
- (l) co-ordinate and harmonise the policies between the existing and future Regional Economic Communities for the attainment of the objectives of the Union;
- (m) advance the development of the continent by promoting research in all fields, in particular in science and technology.



- (n) work with relevant international partners in the eradication of preventable diseases and the promotion of good the continent

#### **Article 4 Principles**

The Union shall function in accordance with the following principles:

- (a) sovereign equality and interdependence among Member States of the Union;
- (b) respect of borders existing on achievement of independence;
- (c) participation of the African peoples in the activities of the Union;
- (d) establishment of a common defence policy for the African Continent;
- (e) peaceful resolution of conflicts among Member States of the Union through such appropriate means as may upon by the Assembly;
- (f) prohibition of the use of force or threat to use force among Member States of the Union;
- (g) non-interference by any Member State in the internal affairs of another;
- (h) the right of the Union to intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely: war crimes, genocide and crimes against humanity;
- (i) peaceful coexistence of Member States and their right to live in peace and security;
- (j) the right of Member States to request intervention from the Union in order to restore peace and security;
- (k) promotion of self-reliance within the framework of the Union;
- (l) promotion of gender equality;
- (m) respect for democratic principles, human rights, the rule of law and good governance;
- (n) promotion of social justice to ensure balanced economic development;
- (o) respect for the sanctity of human life, condemnation and rejection of impunity and political assassination, acts terrorism and subversive activities;
- (p) condemnation and rejection of unconstitutional changes of governments.

## **Article 5 Institutions of the Union**

The institutions of the Union shall be:

- a) The Assembly of the Union;
- b) The Executive Council;
- c) The Pan-African Parliament;
- d) The Court of Justice;
- e) The Commission;
- f) The Permanent Representatives Committee;
- g) The Specialised Technical Committees;
- h) The Economic, Social and Cultural Council;
- i) The Financial Institutions;
- j) Other institutions that the Assembly may decide to establish.

## **Article 6 The Assembly**

- 1. The Assembly shall be composed of Heads of States and Government or their duly accredited representatives.
- 2. The Assembly shall be the supreme organ of the Union.
- 3. The Assembly shall meet at least once a year in ordinary session. At the request of any Member State and on approval two-thirds majority of the Member States, the Assembly shall meet in extraordinary session.
- 4. The Office of the Chairman of the Assembly shall be held for a period of one year by a Head of State or Government elected after consultations among the Member States.

## **Article 7 Decisions of the Assembly**

- 1. The Assembly shall take its decision by consensus or failing by a two-thirds majority of the Member States of:

However, procedural matters, including the question of whether a matter is one of procedure or not, shall be decided by a simple majority.

2. Two-thirds of the total membership of the Union shall form a quorum at any meeting of the Assembly.

### **Article 8 Rules of Procedure of the Assembly**

The Assembly shall adopt its own Rules of Procedure.

### **Article 9 Powers and Functions of the Assembly**

1. The functions of the Assembly shall be to:
  - (a) determine the common policies of the Union;
  - (b) receive, consider and take decisions on reports and recommendations from the other institutions of the Union;
  - (c) consider requests for Membership of the Union;
  - (d) establish any organ of the Union;
  - (e) monitor the implementation of policies and decisions of the Union as well ensure compliance by all Member states;
  - (f) adopt the budget of the Union;
  - (g) give directives to the Executive Council on the management of conflicts, war and other emergency situations restoration of peace;
  - (h) appoint and terminate the appointment of the judges of the Court of Justice;
  - (i) appoint the Chairman of the Commission and his or her deputy or deputies and Commissioners of the Commission and determine their functions and terms of office.
2. The Assembly may delegate any of its powers and functions to any organ of the Union.

### **Article 10 The Executive Council**

1. The Executive Council shall be composed of the Ministers, of Foreign Affairs

or such other Ministers or Authorities as designated by the Governments of Member States.

2. The Executive Council shall meet at least twice a year in ordinary session. It shall also meet in an extraordinary session at the request of any Member State and upon approval by two-thirds of all Member States.

#### **Article 11 Decisions of the Executive Council**

1. The Executive Council shall take its decisions by consensus or, failing which, by a two-thirds majority of the Member States. However, procedural matters, including the question of whether a matter is one of procedure or not, shall be decided by a simple majority.
2. Two-thirds of the total membership of the Union shall form a quorum at any meeting of the Executive Council.

#### **Article 12 Rules of Procedure of the Executive Council**

The Executive Council shall adopt its own Rules of Procedure.

#### **Article 13 Functions of the Executive Council**

1. The Executive Council shall co-ordinate and take decisions on policies in areas of common interest to the Member States including the following:
  - (a) foreign trade;
  - (b) energy, industry and mineral resources
  - (c) food, agricultural and animal resources, livestock production and forestry;
  - (d) water resources and irrigation;
  - (e) environmental protection, humanitarian action and disaster response and relief;
  - (f) transport and communications;
  - (g) insurance;
  - (h) education, culture, health and human resources development;
  - (i) science and technology;

- (j) nationality, residency and immigration matters;
  - (k) social security, including the formulation of mother and child care policies, as well as policies relating to the d the handicapped;
  - (l) establishment of a system of African awards, medals and prizes.
2. The Executive Council shall be responsible to the Assembly. It shall consider issues referred to it and monitor implementation of policies formulated by the Assembly.
  3. The Executive Council may delegate any of its powers and functions mentioned in paragraph 1 of this Article Specialised Technical Committees established under Article 14 of this Act.

#### **Article 14 The Specialised Technical Committees Establishment and Composition**

1. There is hereby established the following Specialised Technical Committees, which shall be responsible to the Executive Council;
  - (a) The Committee on Rural Economy and Agricultural Matters;
  - (b) The Committee on Monetary and Financial Affairs;
  - (c) The Committee on Trade, Customs and Immigration Matters;
  - (d) The Committee on industry, Science and Technology, Energy, Natural Resources and Environment;
  - (e) The Committee on Transport, Communications and Tourism;
  - (f) The Committee on Health, Labour and Social Affairs; and
  - (g) The Committee on Education, Culture and Human Resources.
2. The Assembly shall, whenever it deems appropriate, restructure the existing Committees or establish other Committees
3. The Specialised Technical Committees shall be composed of Ministers or senior officials responsible for sectors falling within their respective areas of competence.

## **Article 15 Functions of the Specialised Technical Committees**

Each Committee shall within its field of competence:

- (a) prepare projects and programmes of the Union and submit it to the Executive Council.
- (b) ensure the supervision, follow-up and the evaluation of the implementation of decisions taken by the institutions of the Union;
- (c) ensure the co-ordination and harmonisation of projects and programmes of the Union;
- (d) submit to the Executive Council either on its own initiative or at the request of the Executive Council, reports recommendations on the implementation of the provisions of this Act; and
- (e) carry out any other functions assigned to it for the purpose of ensuring the implementation of the provisions of this Act;

## **Article 16 Meetings**

Subject to any directives given by the Executive Council, each Committee shall meet as often as necessary and shall prepared Rules of Procedure and submit them to the Executive Council for approval.

## **Article 17 The Pan-African Parliament**

1. In order to ensure the full participation of African peoples in the development and economic integration of the Pan African Parliament shall be established.
2. The composition, powers, functions and organisation of the Pan African Parliament shall be defined in a protocol relating thereto;

## **Article 18 The Court of Justice**

1. A Court of Justice of the Union shall be established;

2. The statute, composition and functions of the Court of Justice shall be defined in a protocol relating thereto.

#### **Article 19 The Financial Institutions**

The Union shall have the following financial institutions whose rules and regulations shall be defined in protocols relating thereto:

- (a) The African Central Bank;
- (b) The African Monetary Fund;
- (c) The African Investment Bank.

#### **Article 20 The Commission**

1. There shall be established a Commission of the Union, which shall be the Secretariat of the Union.
2. The Commission shall be composed of the Chairman, his or her deputy or deputies and the Commissioners. And they shall be assisted by the necessary staff for the smooth functioning of the Commission.
3. The structure, functions and regulations of the Commission shall be determined by the Assembly.

#### **Article 21 The Permanent Representatives Committee**

1. There shall be established a Permanent Representatives Committee. It shall be composed of Permanent Representatives to the Union and other Plenipotentiaries of Member States.
2. The Permanent Representatives Committee shall be charged with the responsibility of preparing the work of the Executive Council and acting on the Executive Councils instructions. It may set up such subcommittees or working groups as it may deem necessary.

## **Article 22 The Economic, Social and Cultural Council**

1. The Economic, Social and Cultural Council shall be an advisory organ composed of different social and professional groups of the Member States of the Union.
2. The functions, powers, composition and organisation of the Economic, Social and Cultural Council shall be determined by the Assembly.

## **Article 23 Imposition of Sanctions**

1. The Assembly shall determine the appropriate sanctions to be imposed on any Member State that defaults in the payment of its contributions to the budget of the Union in the following manner denial of the right to speak at meetings, to present candidates for any position or post within the Union or to benefit from any activity or commitments, there from.
2. Furthermore, any Member States that fails to comply with the decisions and policies of the Union may be subjected to other sanctions, such as the denial of transport and communications links with other Member States, and other measures of a political and economic nature to be determined by the Assembly.

## **Article 24 The Headquarters of the Union**

1. The Headquarters of the Union shall be in Addis Ababa in the Federal Democratic Republic of Ethiopia.
2. There may be established such other offices of the Union as the Assembly may, on the recommendation of the Executive Council determine.



## **Article 25 Working Languages**

The working languages of the Union and all its institutions shall be, if possible, African languages, Arabic, English, French, Portuguese.

## **Article 26 Interpretation**

The Court shall be seized with matters of interpretation arising from the application or implementation of this Act. Pending its establishment, such matters shall be submitted to the Assembly of the Union, which shall decide by a two-thirds majority.

## **Article 27 Signature, Ratification and Accession**

1. This Act shall be open to signature ratification and accession by the Member States of the AU in accordance with the respective constitutional procedures.
2. The instruments of ratification shall be deposited with the Secretary-General of the AU.
3. Any Member State of the AU acceding to this Act after its entry into force shall deposit the instrument of accessions with the Chairman of the Commission.

## **Article 28 Entry Into Force**

This Act shall enter into force, thirty (30) days after the deposit of the instruments of ratification by two-thirds of the Members of the AU.

## **Article 29 Admission to Membership**

1. Any African State may, at any time after the entry into force of this Act, notify the Chairman of the Commission of its intention to accede to this Act and to be admitted as a member of the Union.

2. The Chairman of the Commission shall, upon receipt of such notification, transmit copies thereof to all Member States shall be decided by a simple majority of the Member States. The decision of each Member State shall be transmitted to the Chairman of the Commission who shall, upon receipt of the required number of votes, communicate the decision to the State concerned.

### **Article 30 Suspension**

Governments which shall come to power through unconstitutional means shall not be allowed to participate in the activity Union.

### **Article 31 Cessation of Membership**

1. Any State which desires to renounce its membership shall forward a written notification to the Chairman of the Commission, shall inform Member States thereof. At the end of one year from the date of such notification, if not withdrawn, the Act shall cease to apply with respect to the renouncing State, which shall thereby cease to belong to the Union.
2. During the period of one year referred to in paragraph 1 of this Article, any Member State wishing to withdraw from the comply with the provisions of this Act and shall be bound to discharge its obligations under this Act up to the date of its withdrawal.

### **Article 32 Amendment and Revision**

1. Any Member State may submit proposals for the amendment or revision of this Act.
2. Proposals for amendment or revision shall be submitted to the Chairman of the Commission who shall transmit same to the Member States within thirty (30) days of receipt thereof.
3. The Assembly, upon the advice of the Executive Council, shall examine these proposals within a period of one year following notification of Member States,

in accordance with the provisions of paragraph 2 of this Article;

4. Amendments or revisions shall be adopted by the Assembly by consensus or, failing which, by a two-thirds majority and submitted for ratification by all Member States in accordance with their respective constitutional procedures. They shall enter into force thirty (30) days after the deposit of the instruments of ratification with the Chairman of the Commission by a two-thirds majority of the Member States.

### **Article 33 Transitional Arrangements and Final Provisions**

1. This Act shall replace the Charter of the Organisation of African Unity. However, the Charter shall remain operative for transitional period of one year or such further period as may be determined by the Assembly, following the entry into force of the act for the purpose of enabling the OAU/AEC to undertake the necessary measures regarding the devolution of its assets and liabilities to the Union and all matters relating thereto.
2. The provisions of this Act shall take precedence over and supersede any inconsistent or contrary provisions of the Treaty establishing the African Economic Community.
3. Upon the entry into force of this Act, all necessary measures shall be undertaken to implement its provisions and to ensure the establishment of the institutions provided for under the Act in accordance with any directives or decisions which may be adopted in this regard by the Parties thereto within the transitional period stipulated above.
4. Pending the establishment of the Commission, the OAU General Secretariat shall be the interim Secretariat of the Union.
5. This Act, drawn up in four (4) original texts in the Arabic, English, French and Portuguese languages, all four (4) being equally authentic, shall be deposited with the Secretary General of the AU and, after its entry into force, with the

Chairman of the Commission who shall transmit a certified true copy of the Act to the Government of each signatory State. The Secretary-General the OAU and the Chairman of the Commission shall notify all signatory States of the dates of the deposit of the instruments of ratification or accession and shall upon entry into force of this Act register the same with the Secretariat of the United Nations.

**IN WITNESS WHEREOF, WE have adopted this Act.**

Done at Lomé, Togo, this 11th day of July, 2000.

**KEY MOMENTS IN THE ESTABLISHMENT OF THE AU**

Since 1999 a series of summits and ministerial meetings were key moments in the establishment of the AU, notably:

**Sirte (9.9.99) OAU Special Summit**

- Libyan proposal for a federal United States of Africa with a US-Congress Sirte Pan-African Parliament PAP as the apex organisation
- Declaration on the establishment of the AU

**Abuja (May 2000) CSSDCA's 1<sup>st</sup> African Ministerial meeting**

- Called on African leaders to implement the Side Declaration and establish the AU, the PAP and accelerate the implementation of the Abuja Treaty establishing the AEC (African Economic Community)

**Tripoli (June 2000) Ministerial Conference on the Establishment of the AU**

- Clarification of the relationship between the OAU, AU, AEC and PAP
- Finalisation of draft documents for the Lomé Summit

**Lomé (11 July 2000) 36<sup>th</sup> OAU Summit**

- Constitutive Act of the African Union is approved
- CSSDCA Solemn Declaration approved.
- Entry into force of the Constitutive Act (26 May 2001) - one month after it was ratified by the 36<sup>th</sup> Member States

**37<sup>th</sup> Lusaka (July 2001) OAU Summit**

- Asked Secretariat to prepare the establishment of the AU and make proposals for this to the Durban Summit
- Year from Lusaka to Durban designated as a transition year
- Adopted NEPAD

**Durban (July 2002) 38<sup>th</sup> and last OAU Summit and 1<sup>st</sup> Summit of the AU**

- OAU disbanded and AU formally established in its place
- First year was designated as an interim year to allow the now Interim Commissioners to finalise proposals for the structure and financing of new Commission and the election of new Commissioners
- Issued a NEPAD Declaration on Democratic, Political, Economic and Corporate Good Governance.

**Maputo (July 2003) 2<sup>nd</sup> A U Summit is expected, among other things, to: why in the future?**

- Elect 10 AU Commissioners for a first 4 years term of office.
- Approve a budget and financing proposals.
- Approve structure of AUC and approve plans for setting up other institutions.
- Adopt a Declaration on integration of NEPAD into African Union.

**MAJOR DECISIONS IN THE PROGRESS OF THE OAU TOWARDS THE (AU)**

**17- 21 July 1964 –Cairo**

Commission of Mediation, Conciliation and Arbitration and Specialised Commissions such as the Defence Commission created in replacement of the African High Command, established.

**13- 16 September 1968 - Algiers**

Recommendation on the Conservation of Nature and Natural Resources of the Continent, adopted

**September 1969- Addis Ababa**

OAU Convention Governing the Specific Aspects of Refugee Problems in Africa, adopted

**1980 - Lagos**

Lagos Plan of Action and Final Act of Lagos adopted.

**24-27 June 1981 – Nairobi**

African Charter on Human and Peoples' Rights, adopted. It entered into force in 1986, and is headquartered in Banjul, The Gambia.

**30 November- I December 1987, Addis Ababa**

The Third Extraordinary Summit of the OAU devoted solely to the thorny issue of the Continent's external debt estimated at US\$ 200 billion. The meeting adopted a seven-point "Common Declaration" asking, in the main, for relaxation of the repayment conditionalities, debt rescheduling and increase in the price of raw materials.

**July 1990- Addis Ababa**

OAU Declaration on the Political and Socio-Economic Situation in Africa and the Fundamental Changes taking place in the world, adopted

African Charter on Popular Participation, adopted

African Charter on the Rights and Welfare of the Child, adopted.

**1991:** Treaty establishing the African Economic Community (AEC) commonly known as the Abuja Treaty, adopted.

**29 June - 1 July 1992 - Dakar**

Proposal for establishment of a Conflict Prevention Mechanism accepted in principle. Other themes addressed at the Summit included the HIV/AIDS and the Continent's indebtedness.

**1993:** Declaration on the establishment of a Conflict Prevention, Management and Resolution Mechanism whose major organ is composed of the Heads of State of Members of the sitting Bureau of the Assembly, adopted.

**1997:** African Common Position on Africa's External Debt Crisis, adopted.

**8-10 June 1998: Ouagadougou**

The Heads of State decide to unilaterally, but partially, lift the an embargo imposed on Libya by decision of the UN Security Council

**1999:**

Grand Baie Declaration and Plan of Action, adopted in April 1999

Algiers Decision on Unconstitutional Change of Government adopted in July 1999

Sirte Declaration on the establishment of the African Union, adopted in September 1999.

**12-16 July 1999: Algiers**

The 35<sup>th</sup> Summit while condemning the seizure of power by force threatens coups d'e'tat perpetrators with exclusion.



**2000:**

Lomé Declaration on the framework for OAU Response to Unconstitutional Changes of Government, adopted in July 2000.

Solemn Declaration on the Conference on Security, Stability, Development and Co-operation in Africa (CSSDCA) adopted in Lomé, in July 2000.

Constitutive Act of the African Union adopted at the Lomé Summit.

**9 - 11 July 2001: Lusaka**

Some forty Heads of State and Government were in attendance at the 37<sup>th</sup> Summit, theoretically, the last Summit of the OAU. It was marked by the birth of the African Union, as participants endorsed the transformation of the Organisation. Mr. Amara Essy of Côte d'Ivoire elected Secretary General

**July 2002: Durban**

Protocol relating to the Establishment of the Peace and Security Council, adopted.

**July 2003: Maputo**

The Commission of the Africa Union established with the election of 8 Commissioners, with Chairperson Alpha Oumar Konaré and the Deputy Chairperson.

## STRANDS IN AFRICAN POLITICAL DISCOURSE BROUGHT TOGETHER IN THE AU

**OAU strand:** African political unity strengthens Africa's position in the world and Africans should handle conflict prevention, management and resolution in their continent by themselves;

**Lagos Plan of Action** adopted in 1990 which provides guidelines for policies and programmes in economic, scientific and cultural sectors. The Plan launches the basis of regional economic communities

**Abuja Treaty (1991):** African economic integration to promote development, creation of AEC on basis of RECs as pillars (Regional Economic Communities), Treaty provides for gradual establishment of PAP, Court of Justice and ECOSOC and recognises African Charter of Human and Peoples' Rights.

**Arusha Declaration:** African Charter on popular participation in development

**CSSDCA:** involvement of civil society bringing in accountability, transparency and principles of action in four key areas to be known as the '4 Calabashes':

- Security - AU to be responsible for security in Africa
- Stability - rule of law, good governance, human rights, democracy, etc
- Development - promotion of economic co-operation and integration
- Co-operation - member states should act jointly & collectively.

**NEPAD:** 'Partnership for development' between African leaders and the international donor community and in which the former pledge to work to eradicate poverty, ensure good governance and efficiency while the latter would provide new and additional resources; it involves an African Peer Review Mechanism (APRM) and is organised around 3 components:

- Conditions for sustainable development: peace, security, good governance, sub governance, sub-regional and regional integration

- Sectoral priorities: infrastructure, human resources, agriculture, environment, culture science and technology
- Mobilising Resources: debt relief, ODA, domestic resources mobilisation and a Market Access Initiative.

## LANDMARKS ON THE ROAD OF PAN-AFRICANISM

- 1900:** First Pan-African Conference (with Sylverster William) in London
- 1911:** Universal Congress of the Races in London
- 1919:** First Pan-African Congress (with W.E.B. Dubois) in Paris
- 1920:** Declaration on the Rights of Black People in the World, New York (with Marcus Garvey)
- 1921:** Second Pan-African Congress in London, Brussels and Paris
- 1923:** Third Pan-African Congress in London and Lisbon
- 1924:** Universal League for the Defense of the Black Race in Paris (with Marc Toholu Quantum alias Cog Houenou and René Maran)
- 1927:** Fourth Pan-African Congress in New York
- 1930:** Creation of the Negritude Movement with, among others, Léopold Sédar Senghor, Aimé Césaire, et Léon G. Dames
- 1935:** International African Friends of Abyssinia
- 1941:** Creation of the African Business Council in New York
- 1944:** Pan-African Federation in London
- 1945:** Fifth Pan-African Congress in Manchester
- 1946:** Creation of the Rassemblement démocratique africain (RDA) in Bamako, Mali
- 1953:** Sixth Pan-African congress in Kumasi, Ghana
- 1956:** First Congress of Black Writers and Artists in Paris (with Société africaine de culture — SAC - and Présence Africaine)
- February 1958:** Creation of the Parti du regroupement africain(PRA)
- April 1958:** First Conference of independent African states in Accra, Ghana – Establishment of an African Common Market and constitution of an African Group at the United Nations
- December 1958:** First Conference of African Peoples in Accra, Ghana - Proposal to establish a commonwealth of independent African states
- 1959:** Second Conference of independent African states in Monrovia, Liberia
- 1959:** Second Congress of Black Writers and Artists in Rome
- May 1959:** Creation of the Ghana-Guinea Union (which became Ghana-Guinea-Mali Union in December 1960)

**May 1959:** Creation of the Conseil de l'Entente (Benin-Sahel Union) with Côte d'Ivoire, Ia Haute Volta, Dahomey and Niger.

**1960:** Second Conference of African Peoples in Tunis, Tunisia

**1960:** Third Conference of African states in Addis Ababa, Ethiopia

**June 1960:** Creation of the Mali Federation (with Senegal and The Sudan)

**December 1960:** Creation of the Brazzaville Group (which became the African and Malagasy Union, which in turn became the African and Malagasy Economic Co-operation Union, which later became the African and Malagasy Common Organisation - OCAM)

**1961:** Third Conference of African Peoples in Cairo, Egypt

**1961:** Formation of the Casablanca Group” (dissolved in 1963)

**1961:** Formation of the “Monrovia Group” (dissolved 1963)

**1963:** Establishment of the Organisation of African Unity (OAU) in Addis Ababa, Ethiopia

**1965:** Creation of the Gambia River Development Organisation (OMVG) in Dakar, Senegal

**1966:** First World Festival of Negro Arts in Dakar, Senegal

**1968:** Creation of the Senegal River Development Organisation (OMVS) originally established as “OERS” in 1968 and then transformed into the OMVS in 1972

**1970:** Creation of the West African Economic Community (in CEAO) in Ouagadougou, Burkina Faso

**October 1973:** Creation of the Mano River Union in Freetown Sierra Leone with Sierra Leone, Liberia and Guinea)

**28 May 1975:** Creation of the Economic Community of West African States (ECOWAS) in Lagos, Nigeria

**1976:** Adoption of the Kinshasa Declaration approved by the OAU Summit in Gabon in 1977

**September 1976:** Creation of the Economic Community of the Great Lakes Countries (CEPGL) in Gisenyi, Rwanda

**1979:** Adoption of the Monrovia Strategy

**1981:** The Lagos Plan of Action

**1982:** The Sene-Gambia Confederation (with The Gambia and Senegal) - dissolved in 1989

**December 1982:** Creation of the East African Economic Community (EAEC) in Gisenyi, Rwanda

**March 1984:** Attempts by Mobutu Sese Seko to create a league of Negro African states

**12 February 1989:** Creation of the Arab Maghreb Union (AMU) in Rabat, Morocco

**June 1991:** Treaty establishing the African Economic Community in Abuja, Nigeria

**1992:** Creation of the Southern African Development Coordination Conference (SADCC) in Pretoria, South Africa - transformed into the Southern African Development Community (SADC) in Windhoek, Namibia, on 17 August 1992

**March 1994:** Creation in N'Djamena, Chad, of the Central African Economic and Monetary Community (CEMAC)

**9 September 1999:** Establishment of the African Union in Sirte, Libya