

**AFRICAN UNION**

**الاتحاد الأفريقي**



**UNION AFRICAINE**

**UNIÃO AFRICANA**

Addis Ababa, Ethiopia

P. O. Box 3243

Telephone: 5517 700

Fax: 5517844

Website: [www. Africa-union.org](http://www.Africa-union.org)

**ASSEMBLY OF THE AFRICAN UNION**

Twelfth Ordinary Session

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Addis Ababa, ETHIOPIA

**Assembly/AU/Dec.208 – 240(XII)**

**Assembly/AU/Decl.1 - 2(XII)**

**Assembly/AU/Message(XII)**

**Assembly/AU/Motion(XII)**



**DECISIONS, DECLARATIONS, MESSAGE OF  
CONGRATULATIONS AND MOTION**

## TABLE OF CONTENT

NO.	DECISION NO.	TITLE	PAGES
1.	Assembly/AU//Dec.208(XII)	Decision on the Budget for the African Union for the 2009 Financial Year Doc. EX.CL/455 (XIV)	3
2	Assembly/AU//Dec.209(XII)	Decision on the Draft Statute of the African Union Commission on International Law – Doc.- Assembly/AU/12 (XII) - a	1
3.	Assembly/AU/Dec.210(XII)	Decision on the Draft African Charter on Statistics – Doc. Assembly/AU/12 (XII) – b	1
4.	Assembly/AU/Dec.211(XII)	Decision on the African Diaspora Summit – Doc.EX.CL./483 (XIV)	1
5.	Assembly/AU/Dec.212(XII)	Decision on the Protocol on the Establishment of the African Investment Bank	1
6.	Assembly/AU/Dec.213(XII)	Decision on the Implementation of the Assembly Decision on the Abuse of the Principle of Universal Jurisdiction – Doc. Assembly/AU/3 (XII)	2
7.	Assembly/AU/Dec.214(XII)	Decision on Alternative Sources of Financing for the African Union – Doc. EX.CL/481 (XIV)	1
8.	Assembly/AU/Dec.215(XII)	Decision on the Development of a Roadmap and Plan of Action for Micro-Finance in Africa – Doc. EX.CL/481 (XIV)	1

NO.	DECISION NO.	TITLE	PAGES
9.	Assembly/AU/Dec.216(XII)	Decision on the Report of the Implementation Status of Decision Assembly/AU/Dec.204 (XI) on Promotion of Maternal, Infant and Child Health and Development in Africa- Doc. Assembly/AU/6(XII)	1
10.	Assembly/AU/Dec.217(XII)	Decision on the Financial and Economic Crisis and the Negotiations on the Reform of the International Financial System	2
11.	Assembly/AU/Dec.218(XII)	Decision on Africa-European Union Dialogue – Doc. EX.CL/463 (XIV)	1
12.	Assembly/AU/Dec.219(XII)	Decision on Zimbabwe	1
13.	Assembly/AU/Dec.220(XII)	Decision on the Resurgence of the Scourge of Coups d'état in Africa	1
14.	Assembly/AU/Dec.221(XII)	Decision on the Application by the International Criminal Court (ICC) Prosecutor for the Indictment of the President of the Republic of The Sudan	2
15.	Assembly/AU/Dec.222(XII)	Decision on the Report of the Peace and Security Council on its Activities and the State of Peace and Security in Africa – Doc. Assembly/AU/4 (XII)	5
16.	Assembly/AU/Dec.223(XII)	Decision on the Review of the Protocol Relating to the Pan African Parliament (PAP) Doc. EX.CL/459 (XIV)	1
17.	Assembly/AU/Dec.224(XII)	Decision on the Election of Members of the African Union Advisory Board on Corruption– Doc. EX.CL/492 (XIV)	1

<b>NO.</b>	<b>DECISION NO.</b>	<b>TITLE</b>	<b>PAGES</b>
18.	Assembly/AU/Dec.225(XII)	Decision on the Third World Festival on Negro Arts (FESMAN III)	1
19.	Assembly/AU/Dec.226(XII)	Decision on the Draft Statutes on the Establishment of the African Investment Bank	1
20.	Assembly/AU/Dec.227(XII)	Decision on the Specialised Technical Committee (STCS) – Doc. EX.CL/496 (XIV)	1
21.	Assembly/AU/Dec.228(XII)	Decision on the Second Pan African Cultural Festival – Doc. EX.CL/457 (XIV)	1
22.	Assembly/AU/Dec.229(XII)	Decision on the African Women’s Decade	1
23.	Assembly/AU/Dec.230(XII)	Decision on the Reform of the United Nations Security Council – Doc.Assembly/AU/7(XII)	1
24.	Assembly/AU/Dec.231(XII)	Decision on the Food Security Summit to be held in November 2009	1
25.	Assembly/AU/Dec.232(XII)	Decision on the Themes of July 2009, January 2010 and July 2010 Sessions of the Assembly	1
26.	Assembly/AU/Dec.233(XII)	Decision on the Special Session of the Assembly on the Union Government	2
27.	Assembly/AU/Dec.234(XII)	Decision on the Establishment of African Permanent Secretariat for Sustainable Development and African Fund for Sustainable Development – Doc.Assembly/AU/8(XII) Add.4	1

<b>NO.</b>	<b>DECISION NO.</b>	<b>TITLE</b>	<b>PAGES</b>
28.	Assembly/AU/Dec.235(XII)	Decision on the Proposal by the Government of the Republic of Equatorial Guinea to host the African Observatory of Science, Technology and Innovation – Doc.Assembly/AU/8(XII) Add.5	1
29.	Assembly/AU/Dec.236(XII)	Decision on the African Common Position on Climate Change – Doc.Assembly/AU/8(XII) Add.6	1
30.	Assembly/AU/Dec.237(XII)	Decision on the Candidature of Mr. Farouk Hosni to the post of Director General of the UNESCO	1
31.	Assembly/AU/Dec.238(XII)	Decision on the Dates and Venue of the 13 <sup>th</sup> Ordinary Session of the Assembly of the African Union	1
32.	Assembly/AU/Dec.239(XII)	Decision on the Threat of Drug Trafficking in Africa	1
33	Assembly/AU/Dec.240(XII)	Decision on the Hissène Habré Case	1
<b>DECLARATION</b>			
1.	Assembly/AU/Decl. 1(XII)	Declaration on Development of Transport and Energy Infrastructure in Africa – Doc. Assembly/AU/9(XII)	4
2.	Assembly/AU/Decl. 2(XII)	Addis Ababa Declaration on the International Financial Crisis – Doc. Assembly /AU/11(XII)	4
<b>MESSAGE OF CONGRATULATIONS</b>			
1.	Assembly/AU/Message(XII)	Message of Congratulations to H.E. Mr. Barack Obama, President of the United States of America	1
<b>MOTION</b>			
1.	Assembly/AU/Motion(XII)	Motion	1

**DECISION ON THE BUDGET FOR THE AFRICAN UNION  
FOR THE 2009 FINANCIAL YEAR  
Doc. EX.CL/455 (XIV)**

The Assembly:

1. **ADOPTS** the Budget of the African Union (AU) for the Financial Year 2009 amounting to US\$164,256,817 to be distributed as follows:
  - i) A total amount of US\$ 93,804,243 assessed to Member States on the basis of the approved Scale of Assessment;
  - ii) A total amount of US\$57,412,574 earmarked for the programmes secured from International Partners;
  - iii) An amount of 13,040,000 to be financed from forty percent (40%) of the Surpluses from the Year 2004 to 2007 Budgets;
2. **ADOPTS** the Budget breakdown between the AU Organs as follows:

	Operational Budget in (US\$)	Programs Budget in (US\$)	Total in (US\$)
Pan African Parliament (PAP)	9,535,477	3,943,447	13,478,924
African Commission on Human and Peoples Rights (ACHPR)	2,376,639	1,295,127	3,671,766
African Court on Human and Peoples Rights (AfCHPR)	6,892,269	750,000	7,642,269
Economic Social and Cultural Council (ECOSOCC)	1,606,500	-	1,606,500
African Union Commission(AUC)	75,164,886	62,692,472	137,857,358
<b>Total</b>	<b>95,575,771</b>	<b>68,681,046</b>	<b>164,256,817</b>

3. **REQUESTS** the Commission to develop templates for budget formulation and presentation, and submit it to the Permanent Representatives Committee (PRC) through its Sub-Committee on Administrative, Budgetary and Financial Matters for consideration;
4. **DECIDES** that all AU Organs, namely PAP, ACHPR, AfCHPR and ECOSOCC shall work closely with the Commission in the preparation of their respective budgets to ensure that they comply with the AU Financial Rules and Regulations and the AU Staff Rules and Regulations, as well as the standardized templates of budget formulation and presentations;

5. **REQUESTS** the Commission to ensure that ledger codes of budgets of all AU Organs are standardised;
6. **ALSO REQUESTS** the Office of the Internal Audit of the Commission to periodically audit the accounts of all other AU Organs;
7. **REQUESTS** the Commission to ensure that the expenses related to the Board of External Auditors be centralizes under the Commission Budget ;
8. **REQUESTS** the Commission to monitor the budget preparation by all AU Organs in order to ensure compliance with the AU Financial Rules and Regulations and the AU Staff Rules and Regulations;
9. **FURTHER REQUESTS** all AU Organs to submit monthly returns to the Commission for the purpose of monitoring budget execution and compliance with the AU Financial Rules and Regulations;
10. **DECIDES** that all AU Organs shall submit their requests for virement in conformity with the AU Financial Rules and Regulations to the PRC through its Sub-Committee on Administrative, Budgetary and Financial Matters for consideration;
11. **REQUESTS** the Commission to verify the recruitment process of staff members within all the AU Organs and ensure that the recruitment contracts are standardized;
12. **ALSO REQUESTS** the Commission to discuss future draft budgets with the Bureau of the Sub-Committee on Administration, Budgetary and Financial Matters before submitting to the Sub-Committee for consideration.
13. **REQUESTS PAP:**
  - i) to stop applying fifty-eight percent (58%) Post Adjustment Allowance to its staff members as and when their contracts expire, and apply the forty percent (40%) rate as per the AU Staff Rules and Regulations;
  - ii) to send to the Commission copies of contracts for the members of staff who will be affected by this Decision;
  - iii) to calculate Post Adjustment Allowance on basic salary only without including the housing allowance;
  - iv) to stop implementing any decisions of the Bureau of PAP which have financial implications until approved by the AU Policy Organs;

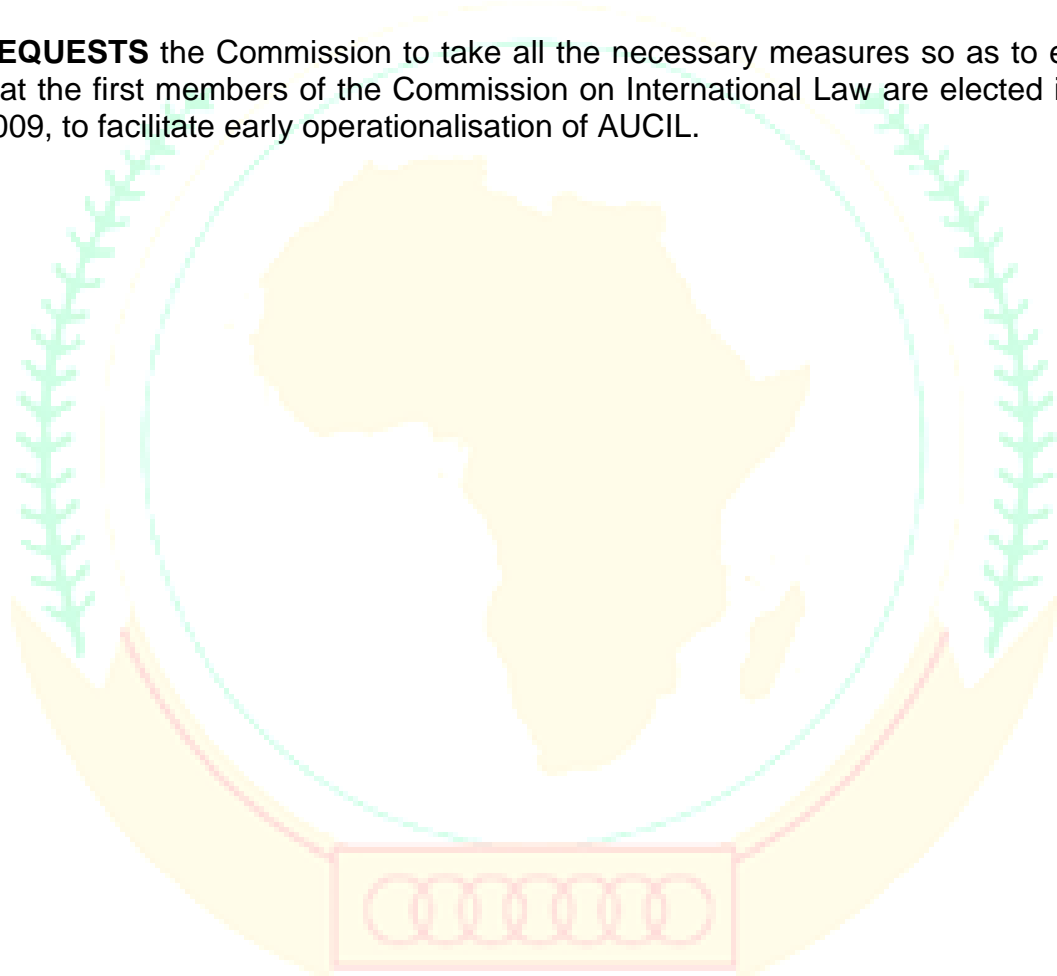
- v) to submit the Organizational Structure of PAP to the Sub-Committee on Structures for consideration prior to the July 2009 Summit;
- vi) to adhere strictly to the AU Financial Rules and Regulations and the Staff Rules and Regulations in the preparation and execution of the Budget, as well as the provisions of Article 15 of the PAP's Protocol dealing with budget preparation;
- vii) not to include any unauthorized budget lines in the 2009 Budget in particular the Sitting, Advocacy and Communication, Coordination and Responsibility Allowances.
- viii) to apply the Daily Subsistence Allowance (DSA) rates as per the AU Financial Rules and Regulations;
- ix) to stop paying higher housing allowance rates and apply the AU approved rates.



**DECISION ON THE DRAFT STATUTE OF THE  
AFRICAN UNION COMMISSION ON INTERNATIONAL LAW  
(Doc. Assembly/AU/12(XII) - a**

**The Assembly:**

1. **TAKES NOTE** of the recommendations of the Executive Council for the consideration and adoption of the Draft Statute of the African Union Commission on International Law (AUCIL);
2. **ADOPTS** the Statute of the African Union Commission on International Law;
3. **REQUESTS** the Commission to take all the necessary measures so as to ensure that the first members of the Commission on International Law are elected in July 2009, to facilitate early operationalisation of AUCIL.



**DECISION ON THE DRAFT AFRICAN CHARTER ON STATISTICS**  
**Doc. Assembly/AU/12(XII) - b**

**The Assembly:**

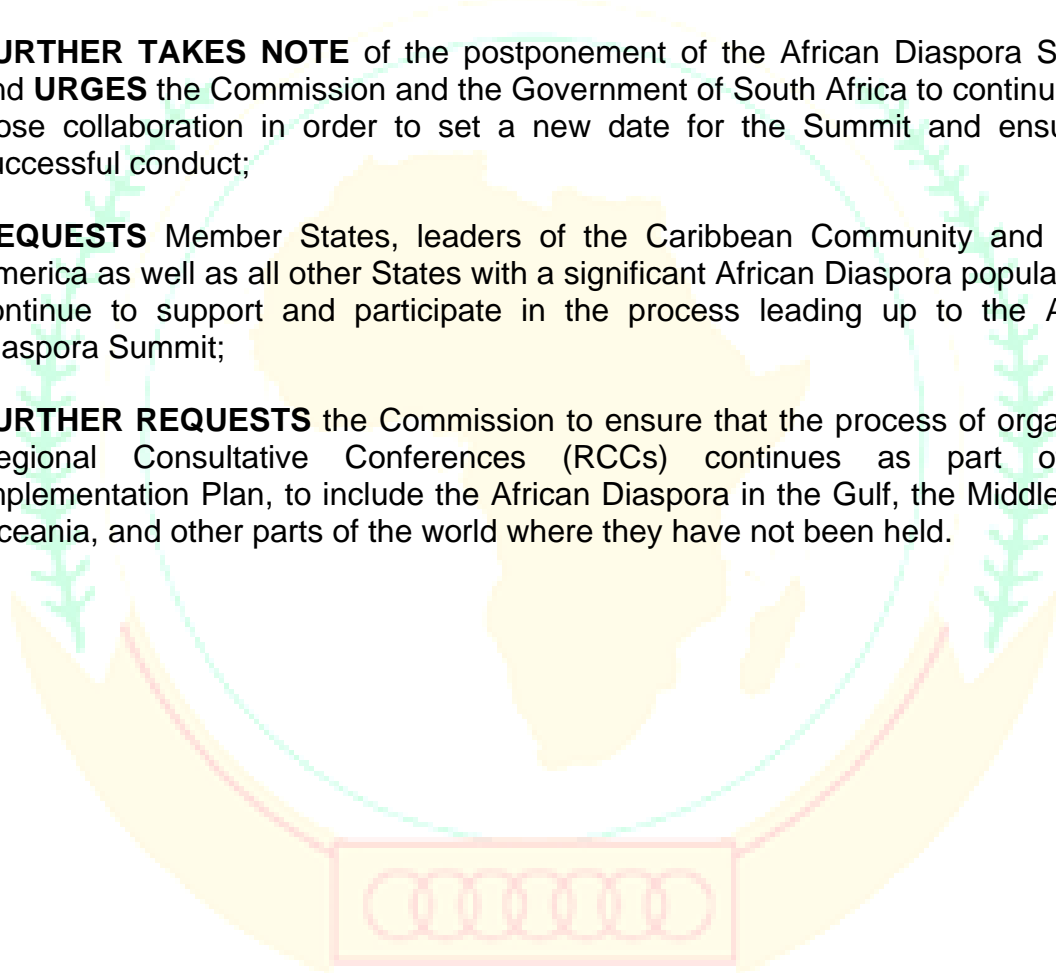
1. **TAKES NOTE** of the recommendations of the Executive Council for the consideration and adoption of the Draft African Charter on Statistics;
2. **ADOPTS** the African Charter on Statistics;
3. **CALLS ON** Member States to sign and ratify the African Charter on Statistics as expeditiously as possible so as to enable the Charter to enter into force, and thus provide a regulatory framework for statistics development in the Continent.



**DECISION ON THE AFRICAN DIASPORA SUMMIT  
Doc.EX.CL/483 (XIV)**

**The Assembly:**

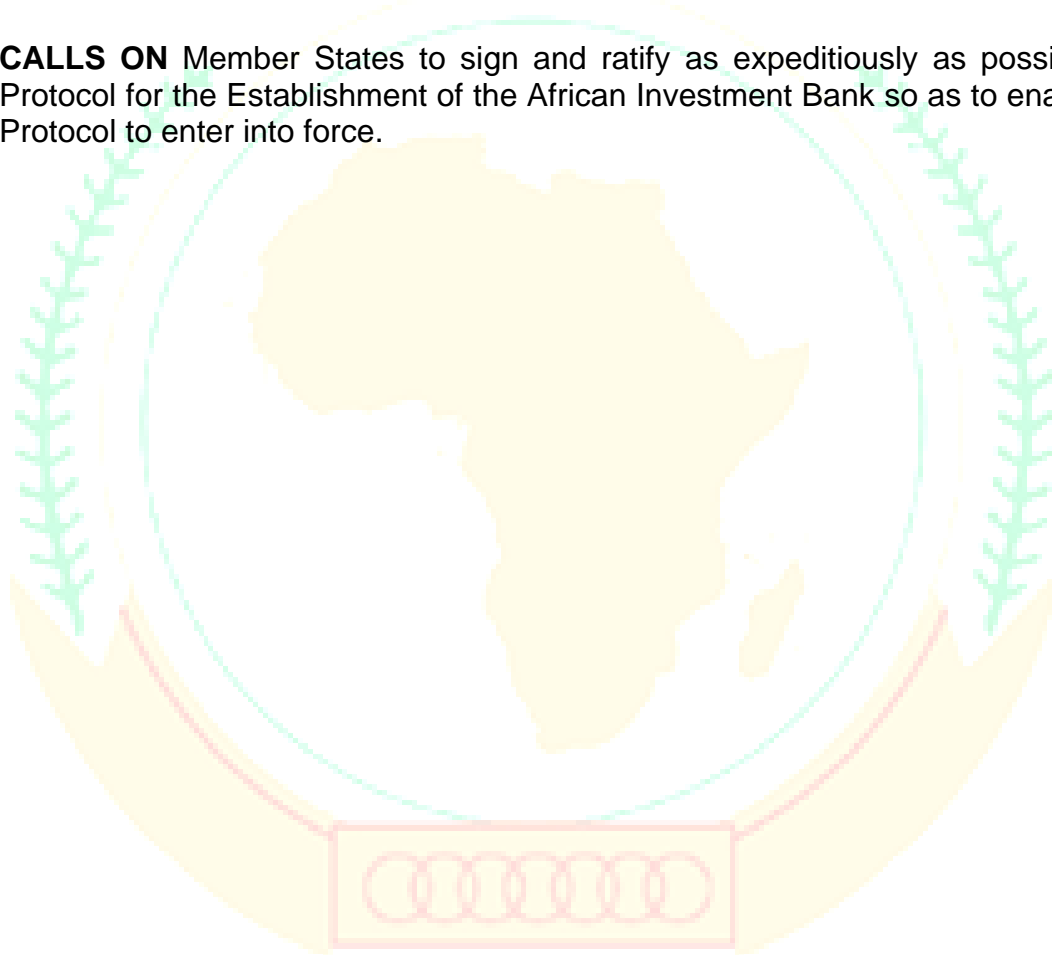
1. **TAKES NOTE** of the Activity Report of the Commission on the progress made so far in the preparation for the African Diaspora Summit scheduled to be held in South Africa in 2009;
2. **ALSO TAKES NOTE** of the outcome of the Technical Workshop held in Sun City, South Africa, from 27 to 29 August 2008 which provides for a suitable platform for consensus-building as part of the processes of the preparation for the Summit;
3. **FURTHER TAKES NOTE** of the postponement of the African Diaspora Summit and **URGES** the Commission and the Government of South Africa to continue their close collaboration in order to set a new date for the Summit and ensure its successful conduct;
4. **REQUESTS** Member States, leaders of the Caribbean Community and South America as well as all other States with a significant African Diaspora population to continue to support and participate in the process leading up to the African Diaspora Summit;
5. **FURTHER REQUESTS** the Commission to ensure that the process of organizing Regional Consultative Conferences (RCCs) continues as part of the Implementation Plan, to include the African Diaspora in the Gulf, the Middle East, Oceania, and other parts of the world where they have not been held.



**DECISION ON THE PROTOCOL ON THE ESTABLISHMENT  
OF THE AFRICAN INVESTMENT BANK**

**The Assembly:**

1. **TAKES NOTE** of the recommendations of the Executive Council for the consideration and adoption of the draft Protocol for the Establishment of the African Investment Bank;
2. **ADOPTS** the Protocol for the Establishment of the African Investment Bank;
3. **CALLS ON** Member States to sign and ratify as expeditiously as possible the Protocol for the Establishment of the African Investment Bank so as to enable the Protocol to enter into force.



**DECISION ON THE IMPLEMENTATION OF THE ASSEMBLY DECISION ON THE  
ABUSE OF THE PRINCIPLE OF UNIVERSAL JURISDICTION  
DOC. Assembly/AU/3(XII)**

**The Assembly:**

1. **TAKES NOTE** of the Progress Report of the Commission on the Implementation of the Assembly Decision Assembly/AU/ Dec.199(XI) adopted by the Assembly in Sharm El-Sheikh, Egypt, in July 2008 on the Abuse of the Principle of Universal Jurisdiction;
2. **ALSO TAKES NOTE** of the work of the African Union-European Union (AU-EU) Technical Ad-hoc Expert Group set up by the Eleventh AU-EU Ministerial Troika with the mandate to clarify the respective understanding on the African and EU side on the principle of universal jurisdiction;
3. **REITERATES** its commitment to fighting impunity in conformity with the provisions of Article 4(h) of the Constitutive Act of the African Union;
4. **EXPRESSES** its regret that in spite of its previous Summit decision calling for a moratorium and whilst the African Union (AU) and the European Union (EU) were already in discussion to find a durable solution to this issue, a warrant of arrest was executed against Mrs Rose Kabuye, Chief of Protocol to the President of the Republic of Rwanda, thereby creating tension between the AU and the EU;
5. **UNDERSCORES** that the African Union speaking with one voice, is the appropriate collective response to counter the exercise of power by strong states over weak states;
6. **REITERATES** its appeal to all United Nations (UN) Member States, in particular the EU States, to suspend the execution of warrants issued by individual European States until all the legal and political issues have been exhaustively discussed between the AU, the EU and the UN;
7. **REQUESTS** the Chairperson of the African Union to follow up on this matter with a view to ensuring that it is exhaustively discussed at the level of the UN Security Council and the UN General Assembly;
8. **URGES** the AU and EU Commissions to extend the necessary support to the Joint Technical Ad-hoc Expert Group;
9. **REQUESTS** the Commission, in consultation with the African Commission on Human and Peoples' Rights, and the African Court on Human and Peoples' Rights, to examine the implications of the Court being empowered to try international crimes such as genocide, crimes against humanity and war crimes, and report thereon to the Assembly in 2010

10. **ALSO REQUESTS** the Commission to follow up on this matter with a view to ensuring that a definitive solution to this problem is reached and to report to the next ordinary session of the Assembly through the Executive Council in July 2009.



**DECISION ON ALTERNATIVE SOURCES OF  
FINANCING FOR THE AFRICAN UNION  
Doc. EX.CL/481 (XIV)**

**The Assembly:**

1. **TAKES NOTE** of the Study on Alternative Sources of Financing for the African Union and the Report of the Extraordinary Conference of African Ministers of Economy and Finance (CAMEF), held in Addis Ababa, Ethiopia, on 14 January 2009;
2. **URGES** Member States to examine the Study on Alternative Sources of Financing as well as the proposed options and to make appropriate recommendations thereon;
3. **ALSO URGES** Member States to forward their comments and proposals to the Commission by 15 September 2009;
4. **REQUESTS** the Commission to take into account the recommendations put forward by Member States for a new study and present the new document to the Extraordinary Session of African Ministers of Economy and Finance to be held in November 2009;
5. **ALSO REQUESTS** the Commission to present the outcomes of the Extraordinary Session of CAMEF to the Assembly of the Union to be held in January 2010.



**DECISION ON THE DEVELOPMENT OF A ROADMAP AND  
PLAN OF ACTION FOR MICRO-FINANCE IN AFRICA  
Doc. EX.CL/481 (XIV)**

**The Assembly:**

1. **TAKES NOTE** of the Report of the Extraordinary Conference of African Ministers of Economy and Finance (CAMEF), held in Addis Ababa, Ethiopia, on 14 January 2009;
2. **FURTHER TAKES NOTE** of the Study on Development of a Roadmap and Plan of Action for Micro-Finance in Africa;
3. **ENDORSES** the recommendations of the Extraordinary Conference of CAMEF on Development of Micro-Finance in Africa;
4. **REQUESTS** the Commission to deepen the study on Development of a Roadmap and Plan of Action for Micro-Finance in Africa, and draw on Member States' experiences in this area;
5. **ALSO REQUESTS** the Commission to undertake a feasibility study on the creation of a Guarantee Fund for development of micro-finance in Africa.



**DECISION ON THE REPORT OF THE IMPLEMENTATION STATUS OF DECISION  
Assembly/AU/Dec.204 (XI) ON PROMOTION OF MATERNAL, INFANT  
AND CHILD HEALTH AND DEVELOPMENT IN AFRICA  
Doc. Assembly/AU/6(XII)**

**The Assembly:**

1. **TAKES NOTE** of the Report of the implementation status of its previous decisions on Maternal, Infant and Child Health and Development in Africa;
2. **ALSO TAKES NOTE** of the initiatives of the Commission to advocate, harmonize and coordinate efforts geared towards the promotion of safe motherhood and survival and development of infants and children;
3. **REITERATES** its commitment to keeping maternal, infant and child health top on Africa's agenda for sustainable development through the implementation of all relevant national, regional, continental and global initiatives such as International Conference on Population and Development (ICPD) Programmes of Action, the Millennium Development Goals (MDGs) and the African Health Strategy as well as the Maputo Plan of Action on Sexual and Reproductive Health and Rights;
4. **TAKES NOTE** of the proposal by the Republic of Mozambique for the theme of the July 2010 Summit to be on Maternal, Infant and Child Health and Development in Africa;
5. **COMMENDS AND ENCOURAGES** Dr. Manto Tshabala-Msimang, Goodwill Ambassador for Maternal, Infant and Child Health, to utilize all avenues and platforms to promote maternal, infant and child health in Africa;
6. **REQUESTS** the Commission to continue to follow up on the implementation of the Assembly Decisions of January and July 2008 Sessions held in Addis Ababa, Ethiopia, and Sharm El Sheikh, Egypt, respectively on the issue of maternal, infant and child health and development;
7. **CALLS UPON** the World Health Organization (WHO), the United Nations Population Fund (UNFPA), other relevant United Nations Agencies and Africa's development partners, including the International Planned Parenthood Federation (IPPF), to support the Commission's efforts in the promotion of maternal, infant and child health;
8. **REQUESTS** the Commission to follow-up on the implementation of this decision and to report periodically to the Assembly.

**DECISION ON THE FINANCIAL AND ECONOMIC CRISIS AND THE NEGOTIATIONS  
ON THE REFORM OF THE INTERNATIONAL FINANCIAL SYSTEM**

**The Assembly:**

1. **TAKES NOTE** of the Communiqué of the Extraordinary Conference of African Ministers of Economy and Finance (CAMEF) on the financial crisis and its impact on African economies, held in Tunis, Tunisia, on 12 November 2008;
2. **ALSO TAKES NOTE**, with satisfaction, of the decision of the Conference to constitute a Committee of ten (10) Ministers and Central Bank Governors (Committee of Ten), representing the five (5) regions of the African Union (AU), to monitor the unfolding trends of the financial and economic crisis, provide regular updated data, comprehensive information and analysis, proffer advice to the AU, the Regional Economic Communities (RECs) and Member States, and make proposals on how best to contribute to the deliberations on the economic and social impact of the international financial crisis and measures to mitigate the crisis, and report accordingly to the Assembly;
3. **URGES** the Commission, the African Development Bank and the United Nations Economic Commission for Africa to continue to jointly render their technical assistance and logistical support towards the functioning of the Committee of Ten;
4. **INVITES** Member States to, in the drive to reduce the impact of the economic and financial crisis, intensify their cooperation to harmonise their fiscal and macro-economic policies, accelerate the implementation of economic integration programmes and strengthen the financial markets' regulatory mechanisms;
5. **ALSO INVITES** Member States, particularly the countries hosting the three Pan-African Financial Institutions created by Article 19 of the Constitutive Act, namely the African Investment Bank, the African Monetary Fund and the African Central Bank (AIB, AMF, ACB), to speed up the establishment of these institutions, by providing the means and resources to facilitate the activities of their respective Steering Committees, in accordance with the Memoranda of Understanding signed with the Commission;
6. **URGES** the G8 member countries tasked with the responsibility to reform the international financial system, to associate the African Union, represented by its Chairperson and the Chairperson of the Commission, in the negotiations of the enlarged G20;

7. **SUPPORTS** the G20 initiative to set up working groups on the themes of negotiations for the urgent reform of the international financial system and **REQUESTS** that the Commission be associated with all the processes established to work out this reform and ensure the implementation of a new international, economic and financial order.



**DECISION ON THE AFRICA-EUROPEAN UNION DIALOGUE**  
**Doc. EX.CL/463 (XIV)**

**The Assembly:**

1. **TAKES NOTE** of the Joint Progress Report on the Implementation of the Africa-European Union (EU) Joint Strategy/First Action Plan adopted by the eleventh Africa-EU Ministerial Troika, held in Addis Ababa, Ethiopia, from 20 to 21 November 2008;
2. **WELCOMES** efforts to strengthen the dialogue between the two sides including the College-to-College meeting of the African Union (AU) Commission and the European Commission, held in Brussels, Belgium, on 1 October 2008;
3. **RECALLS** the responsibilities entrusted to the African Troika extended to include the lead agencies in the conduct of the partnership with the EU.
4. **COMMENDS** the Joint Experts Groups for the considerable work done so far in the implementation;
5. **CALLS UPON** all parties to expedite efforts with a view to attaining tangible results within the timeframe of the First Action Plan (2008-2010);
6. **REQUESTS** both Africa and the European Union to ensure that the necessary funds are allocated in order to foster effective implementation of the Joint Strategy/First Action Plan;
7. **URGES** Member States, the Regional Economic Communities (RECs) and other stakeholders to take active part in the implementation of the First Action Plan under the coordination of the AU Commission;
8. **REQUESTS** the Commission to ensure the effective involvement of the RECs and other stakeholders in the implementation and monitoring processes;
9. **FURTHER REQUESTS** the Commission to engage with the EU to organise a workshop on the modalities for accessing its funds;
10. **REQUESTS** the Commission to submit a special report to each Session of the Executive Council on the progress made in the implementation of the partnership with the European Union.

**DECISION ON ZIMBABWE****The Assembly:**

1. **RECALLS** Resolution Assembly/AU/Res.1 (XI) on the situation in Zimbabwe adopted at its Eleventh Ordinary Session, held in Sharm El Sheikh, Egypt, from 30 June to 1 July 2008, as well as the efforts undertaken subsequently and which led to the signing by the Zimbabwean parties on 15 September 2008, of the Global Political Agreement (GPA);
2. **WELCOMES** the decisions of the Extraordinary Summit of the Southern African Development Community (SADC) Heads of State and Government, held in Pretoria, South Africa, from 26 to 27 January 2009, regarding the implementation of the GPA, and **WELCOMES** the timelines agreed for the formation of an inclusive Government, in particular the adoption of amendment nineteen (19) on 5 February 2009, as well as the swearing-in of the Prime Minister and the Deputy Prime Ministers by 11 February 2009 and that of the Ministers and Deputy Ministers by 13 February 2009;
3. **FURTHER WELCOMES** the commitments expressed by all the Zimbabwean parties to the GPA in the implementation of the Decision of SADC Extraordinary Summit held from 26 to 27 January 2009;
4. **COMMENDS** and **SUPPORTS** the efforts of SADC and its Organ on Politics, Defence and Security Cooperation, as well as the Facilitator of the Political Dialogue on Zimbabwe, former President of South Africa, H.E. Mr. Thabo Mbeki, and **ENCOURAGES** him to continue with those efforts in line with the provisions of the GPA, of which the AU is a Guarantor;
5. **CALLS UPON** AU Member States and partners to lend their full support to the implementation of the GPA, including through adequate support to address the serious socio-economic problems facing Zimbabwe;
6. **FURTHER CALLS FOR** the immediate lifting of the sanctions on Zimbabwe to ease the economic and humanitarian situation in the country;
7. **COMMENDS** the Chairperson of the Commission for the efforts he has made in pursuance of the Sharm El Sheikh Decision.

**DECISION ON THE RESURGENCE OF THE SCOURGE  
OF COUPS D'ÉTAT IN AFRICA**

**The Assembly:**

1. **EXPRESSES** its deep concern over the resurgence of the scourge of coups d'état on the Continent, which constitutes not only a dangerous political downturn and a serious setback to the democratic processes, but also a threat to peace, security and stability of the Continent, and **CALLS ON** Member States to react firmly and unequivocally to put an end to this Scourge;
2. **STRONGLY CONDEMNS** the coups d'état that took place in the Islamic Republic of Mauritania on 6 August 2008, and in the Republic of Guinea on 23 December 2008, as well as the attempted coup d'état in the Republic of Guinea Bissau on 5 August 2008;
3. **SUPPORTS** the decisions taken by the Peace and Security Council (PSC) on these three countries, particularly those related to the immediate return to constitutional order, and **REQUESTS** the Commission to see to the strict implementation thereof;
4. **REITERATES** the firm commitment of the African Union (AU) to the provisions of Articles 4(p) and 30 of the Constitutive Act, the Protocol relating to the establishment of the Peace and Security Council, the July 1999 Algiers Declaration and the Lomé Declaration on Unconstitutional Changes of Government of July 2000;
5. **URGES** Member States that have not yet signed and ratified/acceded to the African Charter on Democracy, Elections and Governance to do so in order to ensure that this important instrument enters into force;
6. **REQUESTS** the Chairperson of the Commission to submit concrete recommendations relating to the implementation of appropriate preventive measures against unconstitutional changes of government, as well as to the enhancement of efficiency and capacity building in early warning, good offices and mediation, including the Panel of the Wise;
7. **FURTHER REQUESTS** the AU's partners to lend support to the decisions taken by the PSC and other relevant AU Organs on unconstitutional changes of government.

**DECISION ON THE APPLICATION BY THE INTERNATIONAL CRIMINAL COURT (ICC) PROSECUTOR FOR THE INDICTMENT OF THE PRESIDENT OF THE REPUBLIC OF THE SUDAN**

**The Assembly:**

1. **EXPRESSES ITS DEEP CONCERN** at the indictment made by the Prosecutor of the International Criminal Court (ICC) against the President of the Republic of The Sudan, H.E. Mr. Omar Hassan Ahmed El Bashir;
2. **CAUTIONS** that, in view of the delicate nature of the peace processes underway in The Sudan, approval of this application would seriously undermine the ongoing efforts aimed at facilitating the early resolution of the conflict in Darfur;
3. **ENDORSES** the Communiqué issued by the Peace and Security Council (PSC) of the African Union (AU) at its 142<sup>nd</sup> meeting, held on 21 July 2008, and **URGES** the United Nations Security Council, in accordance with the provisions of Article 16 of the Rome Statute of the ICC, and as requested by the PSC at its above-mentioned meeting, to defer the process initiated by the ICC.
4. **REQUESTS** the Commission to implement this Decision by sending a high-level delegation from the African Union for necessary contacts with the UN Security Council;
5. **FURTHER REQUESTS** the Commission to convene as early as possible, a meeting of the African countries that are parties to the Rome Statute on the establishment of the International Criminal Court (ICC) to exchange views on the work of the ICC in relation to Africa, in particular in the light of the processes initiated against African personalities, and to submit recommendations thereon taking into account all relevant elements;
6. **REITERATES** AU's unflinching commitment to combating impunity and promoting democracy, the rule of law and good governance throughout the entire Continent, in conformity with its Constitutive Act;
7. **CONDEMNS** the gross violations of human rights in Darfur, and **URGES** that the perpetrators be apprehended and brought to justice, and **SUPPORTS** the decision by the PSC to establish a High-Level Panel of Eminent Personalities under the chairmanship of former President of the Republic of South Africa, H.E. Mr. Thabo Mbeki, to examine the situation in depth, and to submit recommendations on how best the issues of accountability and combating impunity, on the one hand, and reconciliation and healing, on the other, could be effectively and comprehensively addressed;

8. **NOTES** the steps taken by the Republic of The Sudan to address human rights violations in Darfur, and **REITERATES** the call by various AU Organs for the Government of The Sudan to take immediate and concrete steps to investigate and bring the perpetrators to justice, and to take advantage of the availability of qualified lawyers to be seconded by the AU and the League of Arab States, and in this regard **CALLS UPON** all parties to scrupulously respect the values and principles of human rights.



**DECISION ON THE REPORT OF THE PEACE AND SECURITY COUNCIL ON ITS  
ACTIVITIES AND THE STATE OF PEACE AND SECURITY IN AFRICA  
Doc. Assembly/AU/4 (XII)**

**The Assembly:**

1. **TAKES NOTE** of the report of the Peace and Security Council (PSC) on its activities and the state of peace and security in Africa;
2. **WELCOMES** the efforts deployed to promote peace, security and stability in Africa, as well as the progress made towards the operationalization of the African Peace and Security Architecture, particularly with respect to the Continental Early Warning System (CEWS) and the African Standby Force (ASF). The Assembly **ENCOURAGES** all parties concerned to redouble their efforts to resolve the ongoing conflicts and consolidate peace where it has been achieved. The Assembly also **REQUESTS** the Commission to continue supporting the ongoing processes and mobilizing the assistance of the international community to that effect;
3. **STRESSES** the need for more proactive efforts to prevent conflicts and, in this respect, **REQUESTS** the Chairperson of the Commission to submit to it a comprehensive report on the efforts undertaken so far to prevent conflicts and how best they could be enhanced;
4. **EXPRESSES SERIOUS CONCERN** at the resurgence of the scourge of coups d'état in the Continent which constitutes a serious political regression and a reversal of the ongoing democratization process in the Continent, requiring firm and unequivocal response on the part of Member States. The Assembly **STRONGLY CONDEMNS** the coups d'état that occurred in Mauritania and Guinea on 6 August and 23 December 2008 respectively, as well as the attempted coup d'état in Guinea Bissau on 23 November 2008. The Assembly **FULLY SUPPORTS** the decisions of the Peace and Security Council in the three cases as well as the efforts deployed by the Commission towards restoration of constitutional legality in Mauritania and Guinea;
5. **WELCOMES** the progress achieved in the process of national reconciliation in the Comoros and **ENCOURAGES** the Comorian parties to continue to work together in the spirit of consensus to consolidate these gains, including through the necessary rationalization of the existing institutional architecture of the Archipelago and harmonization of the numerous electoral timeframes in the country;
6. **WELCOMES** the progress made in the political process in Somalia, particularly the signing, on 19 August and 26 October 2008 respectively, of the Djibouti Agreement and the Agreement on the Modalities for the Cessation of Armed Confrontation, as well as the decision to establish an inclusive and expanded Parliament and a Unity Government. The Assembly **ENCOURAGES** the

Transitional Federal Government (TFG) and the Alliance for the Re-liberation of Somalia (ARS) to continue with their efforts, and **URGES** all Somali stakeholders that have not yet done so to commit themselves to dialogue and join the peace process. The Assembly **STRONGLY CONDEMNS** those elements seeking to undermine the peace efforts, as well as peace and stability in the region as a whole, and **EXPRESSES ITS FULL SUPPORT** for the decision by IGAD, as endorsed by the PSC, to impose targeted sanctions on all those intent on undermining the ongoing efforts;

7. **WELCOMES** the election of a new President for Somalia which represents a major breakthrough in the peace process and **EXPRESSES** its satisfaction over this latest development; **URGES** all Somali stakeholders to work with the TFG and join the peace process. The Assembly strongly **CONDEMNS** those elements that are undermining the peace efforts;
8. **FURTHER WELCOMES** the extension of the transitional period by two years and **CALLS ON** the international community to lend increased support to the TFG so that the progress achieved can be sustained in order to bring lasting and durable peace in the country;
9. **EXPRESS ITS FULL SUPPORT** for the decision of IGAD as endorsed by the PSC to impose targeted sanctions on all those intent on undermining the ongoing efforts;
10. **TAKES NOTE** of the completion by Ethiopia of the withdrawal of its forces from Somalia in line with the Djibouti Agreement and **REITERATES** AU's appreciation for the sacrifice made by Ethiopia and its commitment to the search for a lasting solution to the conflict in Somalia. The Assembly **PAYS TRIBUTE** to AMISOM and the Troop Contributing Countries, namely Burundi and Uganda, for their commitment to the peace and reconciliation process in Somalia.
11. **ALSO PAYS TRIBUTE** to the AU partners and Member States, in particular Algeria, for providing financial and/or logistical support to AMISOM, and **WELCOMES** the adoption by the UN Security Council, on 16 January 2009, of Resolution 1863(2008), in which it expressed its intent to establish a UN peacekeeping operation in Somalia as a follow-up to AMISOM, subject to a further decision by 1 June 2009, and authorized the provision of a support package to AMISOM. The Assembly **URGES** the Security Council to urgently adopt a resolution authorizing the deployment of the envisaged peacekeeping operation;
12. **REITERATES** its concern at the continued impasse in the peace process between Ethiopia and Eritrea, and **CALLS FOR** renewed efforts, including by the AU, to assist the two countries overcome the current situation, normalize their relations and lay the foundation for a comprehensive and lasting peace between them;

13. **FURTHER REITERATES ITS CONCERN** at the persisting tension at the border between Djibouti and Eritrea and in the relations between the two countries. The Assembly **RECALLS** the decision adopted by the PSC at its 138<sup>th</sup> Meeting held in Sharm El Sheikh, Egypt, on 29 June 2008, as well as its own decision on the matter. In this respect, the Assembly **WELCOMES** the efforts being deployed by members of the international community, including the adoption by the UN Security Council, on 14 January 2008, of resolution 1862(2008), which, *inter alia*, demanded that Eritrea withdraw its forces and all their military hardware to the *status quo ante* position, acknowledge its border dispute with Djibouti, engage actively in dialogue to defuse the tension, as well as in diplomatic efforts leading to a mutually acceptable settlement, and abide by its obligations as a member of the United Nations. The Assembly **CALLS FOR** speedy implementation of this resolution and **REQUESTS** the Commission to maintain consultations with the United Nations and other stakeholders, with a view of contributing to the early resolution of this conflict;
14. **WELCOMES** the efforts invested towards successful outcome of the process of implementing the agreements concluded between the Government of Burundi and PALIPEHUTU/FNL in June and September 2006 respectively, particularly the Declaration adopted by the Summit of Heads of State and Government of the Great Lakes Region, held in Bujumbura on 4 December 2008, and subsequent developments, especially the change of the appellation of PALIPEHUTU/FNL and the release of political prisoners and prisoners of war, as well as the commitment by the parties to resolve all the outstanding issues before 15 February 2009 ;
15. **WELCOMES** the developments in the peace process in the East of the DRC, particularly since the conclusion of the Agreement between the Congolese and Rwandese Governments in Goma on 5 December 2008. The Assembly **URGES** both Governments to speed up the implementation of the Nairobi Agreement of 2007 and **CALLS UPON** the Congolese parties to the Goma process to scrupulously implement the *Actes d'engagement* emanating from that process;
16. **STRESSES** the need for continued efforts to ensure the timely and faithful implementation of the Comprehensive Peace Agreement (CPA), and **COMMENDS** the parties to the CPA for their commitment and spirit of cooperation. The Assembly **WELCOMES** the progress made during the period under review, particularly with respect to the preparation of the national elections scheduled to take place in 2009, and the implementation of the Abyei Roadmap of 8 June 2008;
17. **EXPRESSES SERIOUS CONCERN** at the deteriorating security situation in Darfur and **CALLS UPON** all the parties to exercise restraint so as to create propitious climate for the start of political talks. The Assembly **WELCOMES** the laudable efforts deployed by the United Nations and the African Union, including through the Joint Chief Mediator, Mr. Djibrill Bassole, in concert with the authorities of Qatar, within the framework of the Afro-Arab Peace Initiative, to get the parties to the conflict to sign a framework agreement together with cessation

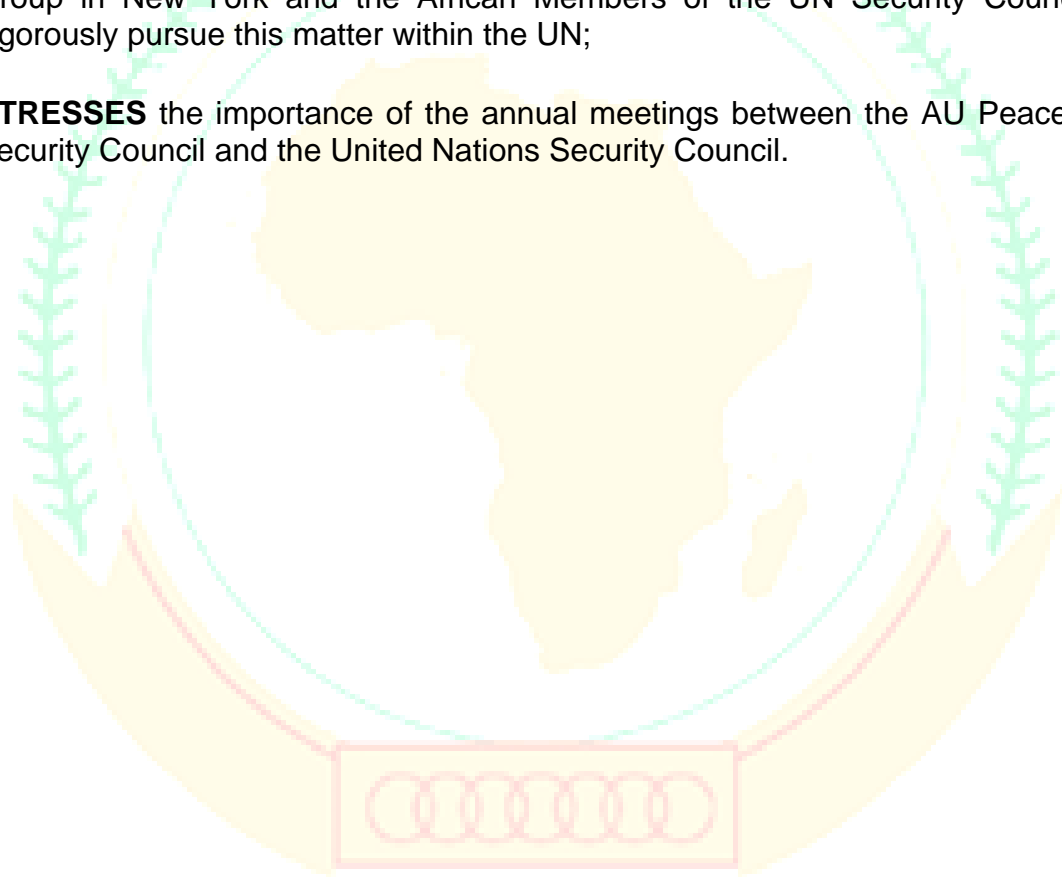
of hostilities agreement, and **URGES** them to participate, without delay and without preconditions, in the meeting which the Mediator plans to convene in Doha in the very near future. The Assembly **WELCOMES** the recommendations of the “Forum of the people of Sudan” and **ENCOURAGES** the Sudanese Government to pursue implementation of these recommendations so as to build trust and confidence among the parties and enhance the search for a lasting solution to the crisis in Darfur. The Assembly **ALSO WELCOMES** the progress achieved in the deployment of MINUAD, and **EXPRESSES SATISFACTION** at the Sudanese Government’s cooperation in this regard;

18. **EXPRESSES SERIOUS CONCERN** at the current tension in the relations between The Sudan and Chad and **APPEALS** to both countries to exercise restraint and work towards consolidation of the gains made thanks to the initiatives of the Contact Group set up in pursuance of the Dakar Agreement of March 2008. The Assembly **WELCOMES** the dispatch by the Chairperson of the Commission of a high-level delegation led by President Pierre Buyoya as a follow up to the decision adopted by the PSC at its 138<sup>th</sup> Meeting held in Sharm El Sheikh, Egypt, on 29 June 2008. It **REQUESTS** the PSC to meet as quickly as possible to consider this report and take appropriate action;
19. **WELCOMES** the holding and the outcomes of the Inclusive Political Dialogue (IPA) in the Central African Republic (CAR), **ENCOURAGES** the concerned parties to work together to implement the recommendations put forward by the IPD, and **EXPRESSES SATISFACTION** at the deployment of the Peace Consolidation Mission of the Security Council in Central Africa (MICOPAX 1) to replace the CEMAC Multinational Force (FOMUC). The Assembly **WELCOMES** the support rendered by the African Union towards the peace consolidation process in the CAR in close cooperation with the region, the EU, the IOF and the United Nations, and **ENCOURAGES** it to persevere in its efforts;
20. **NOTES** that presidential election could not be held in Côte d’Ivoire as initially planned with the consensus of all the parties and **ENCOURAGES** the Government of Côte d’Ivoire to expeditiously set fresh dates for the election, on the proposal of the Independent Electoral Commission, and to take all appropriate measures to ensure compliance with the dates so fixed. The Assembly **WELCOMES** the signing on 22 December 2008, of the 4<sup>th</sup> Supplementary Agreement to the Ouagadougou Political Agreement which helped to find a solution to the outstanding issues, notably matters relating to the defence and security forces and the effective restoration of State authority throughout the national territory;
21. **WELCOMES** the continued progress being made in the post-conflict reconstruction efforts in Liberia, and **URGES** the international community to continue to provide sustained efforts to Liberia. The Assembly **WELCOMES** the decision of the Chairperson of the Commission to dispatch a multi-disciplinary team of experts to assess the post-conflict reconstruction needs of Liberia and

Sierra Leone and make recommendations on how the AU and its Member States could best support the country;

22. **NOTES** that the AU/UN Panel established to make concrete recommendations on how the UN and the AU could explore the possibility of enhancing the predictability and sustainability of financing UN-mandated peace operations undertaken by the AU, has now submitted its report. The Assembly **REQUESTS** the PSC to meet as early as possible to review the Report and submit its input prior to its consideration by the UN Security Council. The Assembly **REQUESTS** that the African Members of the UN Security Council, as well as South Africa, which led the process that resulted in the establishment of the Panel, participate fully in the proposed meeting of the PSC. The Assembly **MANDATES** the Africa Group in New York and the African Members of the UN Security Council to vigorously pursue this matter within the UN;

23. **STRESSES** the importance of the annual meetings between the AU Peace and Security Council and the United Nations Security Council.



**DECISION ON THE REVIEW OF THE PROTOCOL RELATING  
TO THE PAN AFRICAN PARLIAMENT (PAP)  
DOC. EX.CL/459 (XIV)**

**The Assembly:**

1. **TAKES NOTE** of the Report of the Commission on the Review of the Protocol relating to the Pan African Parliament (PAP);
2. **AUTHORIZES** the Commission to initiate the review process of the Protocol to the Treaty establishing the African Economic Community relating to the Pan-African Parliament;
3. **REQUESTS** the Commission to draft and finalize the Terms of Reference for the review in consultation with the Permanent Representatives Committee (PRC), taking into account the views of PAP;
4. **FURTHER REQUESTS** the Commission to carry out a comprehensive study on the review of the Protocol based on terms of reference, taking into account the views of the PAP and make appropriate recommendations thereon to the African Union (AU) Policy Organs, through the PRC, for consideration at their next ordinary sessions in July 2009;
5. **ALSO REQUESTS PAP** to amend its Rules of Procedure to conform to the legal instruments of the AU;
6. **FINALLY REQUESTS** PAP to urgently fix a term limit for its Bureau drawing inspiration from other AU organs and to immediately hold new elections to renew the mandate of the current Bureau or elect a new one.

**DECISION ON ELECTION OF MEMBERS OF THE AFRICAN  
UNION ADVISORY BOARD ON CORRUPTION  
DOC. EX.CL/492(XIV)**

**The Assembly:**

1. **TAKES NOTE** of the election conducted by the Executive Council;
2. **APPOINTS** the following persons elected by the Fourteenth Ordinary Session of the Executive Council as members of the African Union Advisory Board on Corruption:

	<b>Names</b>	<b>Country</b>
1.	Mr. Nabil HATTALI	(Algeria)
2.	Ms. Dorothy Nyagoha ANGOTE	(Kenya)
3.	Ms. Frene GINWALA	(South Africa)
4.	Ms. Henriette Tall DIOP	(Senegal)
5.	Mr. Léonidas HAVYARIMANA	(Burundi)
6.	Mr. Costantinos Berhé TESFU	(Ethiopia)
7.	Ms. Jane Mayemu ANSAH	(Malawi)
8.	Mr. Simon-Pierre NZOBABELA	(Congo)
9.	Mr. Mazou Seidou ADAMOU	(Niger)
10.	Mr. James KAHOOZA	(Uganda)
11.	Mr. Paulus Kalonho NOA	(Namibia)

**DECISION ON THE THIRD WORLD FESTIVAL  
OF NEGRO ARTS (FESMAN III)**

**The Assembly:**

1. **COMMENDS** the Government of the Republic of Senegal for its initiative to organize the Third Edition of the World Festival of Negro Arts (FESMAN III) in Dakar from 1 to 21 December 2009, following the 1966 and 1977 editions of the Festival held in Senegal and Nigeria, respectively;
2. **RECOGNIZES** that this Festival contributes to the fostering of African Renaissance and the socio-economic integration of the Continent. It also facilitates the development of fraternal and friendly relations between Africans in the Continent and Africans in the Diaspora, and of mutual understanding among the peoples of the world;
3. **EXPRESSES ITS SUPPORT** for the Declaration adopted by African Ministers of Culture at their meeting held in Algiers, Algeria, from 19 to 23 October 2008;
4. **INVITES** all men and women of culture, artists and creators from Member States and the African Diaspora to participate massively in the activities and programmes of the Third World Festival of Negro Arts;
5. **REQUESTS** Member States and Africa's partners to lend their support towards the process of preparation of FESMAN III;
6. **ALSO REQUESTS** the Commission to take all appropriate measures, in consultation with the Government of Senegal, to organize and implement the conclusions of this Festival.

**DECISION ON THE DRAFT  
STATUTES ON THE ESTABLISHMENT OF  
THE AFRICAN INVESTMENT BANK**

**The Assembly:**

1. **TAKES NOTE** of the Draft Statutes on the Establishment of the African Investment Bank;
2. **URGES** Member States to communicate their responses on the proposed draft Statutes on the Establishment of the African Investment Bank to the Commission by May 2009;
3. **REQUESTS** the Commission to convene a meeting of legal and finance experts to be followed by a Ministerial Conference to consider the draft Statutes;
4. **WELCOMES** the offer by the Great Libyan Arab Jamahiriya to host the experts meeting in May 2009;
5. **REQUESTS** the Commission to present the draft Statutes to the next Conference of African Ministers of Economy and Finance and thereafter to the next Ordinary Session of the Assembly, in July 2009 for consideration.



**DECISION ON THE SPECIALISED TECHNICAL COMMITTEES (STCS)  
DOC. EX.CL/496(XIV)**

**The Assembly:**

1. **TAKES NOTE** of the Report of the Commission on Specialised Technical Committees (STCs);
2. **DECIDES** to reconfigure the STCs as follows:
  - (1) Committee on Agriculture, Rural Development, Water and Environment;
  - (2) Committee on Finance, Monetary Affairs, Economic Planning and Integration;
  - (3) Committee on Trade and Industry and Minerals;
  - (4) Committee on Transport, Transcontinental and Interregional Infrastructures, Energy and Tourism;
  - (5) Committee on Gender and Women Empowerment;
  - (6) Committee on Justice and Legal Affairs;
  - (7) Committee on Social Development, Labour and Employment;
  - (8) Committee on the Public Service, Local Government, Urban Development and Decentralization;
  - (9) Committee on Health, Population and Drug Control;
  - (10) Committee on Migration, Refugees and IDPs;
  - (11) Committee on Youth, Culture and Sports;
  - (12) Committee on Education, Science and Technology;
  - (13) Committee on Communication and ICT;
  - (14) Committee on Defence, Safety and Security.
3. **REQUESTS** the Commission to prepare a detailed breakdown of the financial implications of STCs meetings setting out the figures if the STCs were to be convened on an annual or biennial basis;
4. **ALSO REQUESTS** the Commission to prepare detailed activities of the STCs with a view to avoiding overlap and ensuring coherence and harmony with the portfolios of the Commission;
5. **FURTHER REQUESTS** the Commission to work with the Permanent Representatives Committee (PRC) and make appropriate recommendations on the periodicity of the meetings of the STCs to the next Ordinary Session of the Assembly through the Executive Council in July 2009.

**DECISION ON THE SECOND PAN AFRICAN CULTURAL FESTIVAL  
Doc EX.CL/475(XIV)**

**The Assembly:**

1. **TAKES NOTE** of the report of the second African Union Conference of Ministers of Culture, which took place in Algiers, from 19 to 23 October 2008, notably the item on the organisation, by Algeria, of the second Pan African Cultural Festival;
2. **ALSO TAKES NOTE** of the statement by the Algerian delegation on Algeria's state of readiness for organizing the second Pan-African Cultural Festival;
3. **ENDORSES** the date for the organization of the Second Pan-African Cultural Festival in Algiers, from 5 to 20 July 2009;
4. **INVITES** Member States and the Diaspora to ensure effective participation in the second Pan African Cultural Festival;
5. **INVITES** African Union Ministers of Culture to attend the opening ceremony of the festival in Algiers;
6. **URGES** the Commission to give effective support to ensure the successful organization, by Algeria, of the Second Pan African Cultural Festival;
7. **EXTENDS** its congratulations to Algeria for the efforts made towards the organization of this Pan-African Cultural Festival and for its significant contribution to Africa's Cultural Renaissance.

## DECISION ON THE AFRICAN WOMEN'S DECADE

### The Assembly:

1. **TAKES NOTE** of the recommendation of the Executive Council on the African Women's Decade;
2. **DECLARES** 2010 -2020 as the African Women's Decade;
3. **CALLS ON** Member States and AU Organs and Regional Economic Communities to support the implementation of Decade activities.



**DECISION ON THE REFORM OF THE UNITED  
NATIONS SECURITY COUNCIL  
Doc. Assembly/AU/7(XII)**

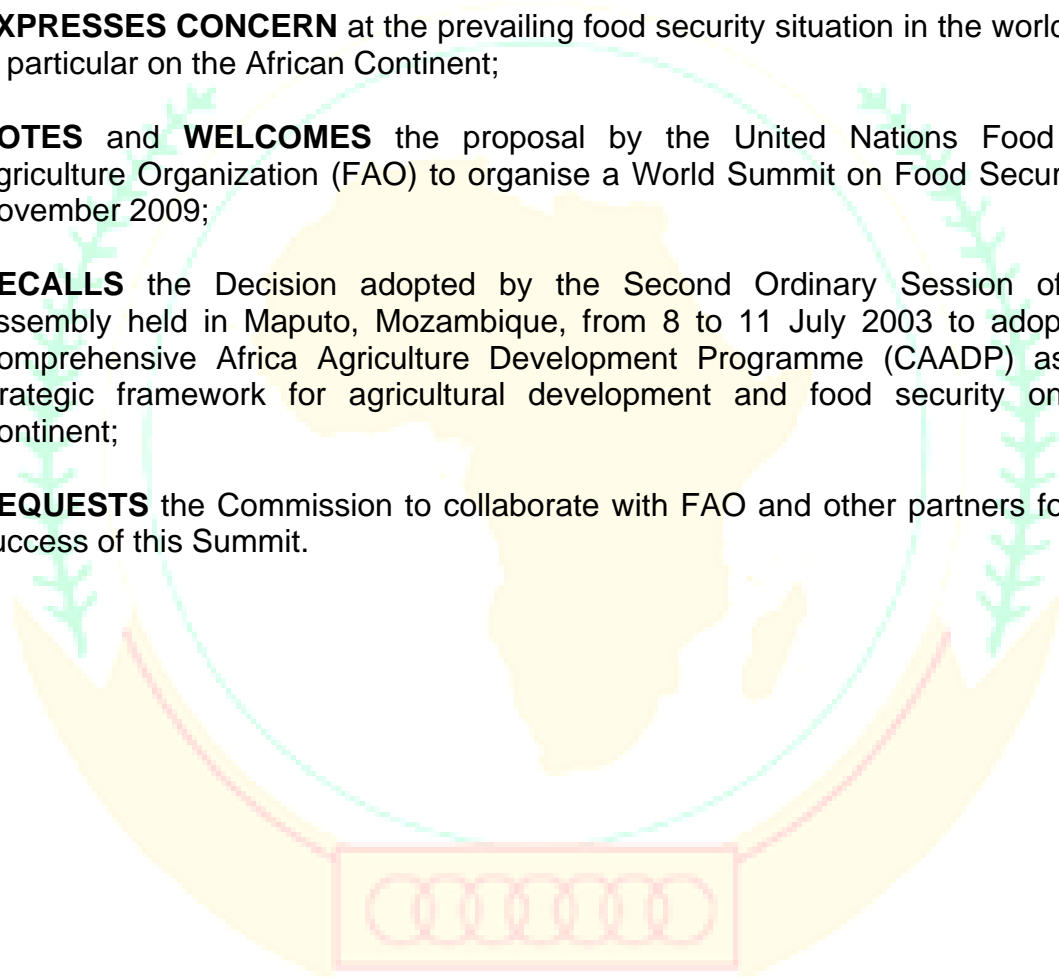
**The Assembly:**

1. **TAKES NOTE** of the Report of the Committee of Ten Heads of State and Government on the Reform of the United Nations (UN) Security Council;
2. **REAFFIRMS** the Ezulwini Consensus and the Sirte Declaration on the Reform of the United Nations Security Council adopted in Sirte in July 2005;
3. **REQUESTS** the Commission to coordinate the activities of the African Permanent Representatives of the Committee of Ten to the United Nations to actively engage in the inter-governmental negotiations on the basis of the Ezulwini Consensus and the Sirte Declaration;
4. **ALSO REQUESTS** the African Permanent Representatives to the United Nations of the Committee of Ten to liaise regularly with their respective Permanent Representatives to the UN and to the African Union on the ongoing inter-governmental negotiations taking place in New York;
5. **REITERATES** that the Committee of Ten remains seized of this matter until Africa achieves its objectives on the reform of the UN Security Council;
6. **FINALLY REQUESTS** the Committee of Ten to present a progress report to the next Ordinary Session of the Assembly in July 2009.

**DECISION ON THE FOOD SECURITY SUMMIT TO BE HELD  
IN NOVEMBER 2009**

**The Assembly:**

1. **TAKES NOTE** of the Statement of the Chairperson of the Commission on the Food Security situation in the world;
2. **EXPRESSES CONCERN** at the prevailing food security situation in the world and in particular on the African Continent;
3. **NOTES** and **WELCOMES** the proposal by the United Nations Food and Agriculture Organization (FAO) to organise a World Summit on Food Security in November 2009;
4. **RECALLS** the Decision adopted by the Second Ordinary Session of the Assembly held in Maputo, Mozambique, from 8 to 11 July 2003 to adopt the Comprehensive Africa Agriculture Development Programme (CAADP) as the strategic framework for agricultural development and food security on the Continent;
5. **REQUESTS** the Commission to collaborate with FAO and other partners for the success of this Summit.



**DECISION ON THE THEMES OF JULY 2009, JANUARY 2010 AND JULY 2010  
SESSIONS OF THE ASSEMBLY**

**The Assembly:**

1. **TAKES NOTE** of the proposal by the Commission on the themes of the Thirteenth, Fourteenth and Fifteenth Ordinary Sessions of the Assembly scheduled respectively for July 2009, January 2010 and July 2010;
2. **DECIDES** that the themes for these Sessions will be as follows:
  - i. Thirteenth Ordinary Session of the Assembly: *“Investing in Agriculture for Economic Growth and Food Security”*;
  - ii. Fourteenth Ordinary Session of the Assembly: *“Information and Communication Technologies in Africa: Challenges and Prospects for Development”*;
  - iii. Fifteenth Ordinary Session of the Assembly: *“Maternal, Infant and Child Health and Development in Africa”*.



**DECISION ON THE SPECIAL SESSION OF THE ASSEMBLY  
ON THE UNION GOVERNMENT**

**The Assembly:**

1. **RECALLS** its decision adopted during its Special Session on the Union Government held in Addis Ababa, Ethiopia, on 1 February 2009, to transform the African Union Commission into the African Union Authority;
2. **FURTHER RECALLS** its directive to the Executive Council to elaborate upon this decision;
3. **TAKES NOTE** and **DECIDES** to endorse the recommendation of the Executive Council, which reads as follows:

*“Pursuant to the Decision of the Assembly directing the Executive Council to elaborate upon its decision regarding the establishment of the African Union Authority:*

*The Executive Council received the decision:*

1. *to transform the African Union Commission into an African Union Authority;*
2. *to strengthen the AU Authority;*
3. *that the Authority shall have a structure comprising of the President, the Vice President and Secretaries with portfolios based on areas of shared competencies as agreed upon.*

*The Executive Council further took note of the Report submitted to it by the AU Commission in response to the decision of the Assembly.*

*The Executive Council recommended as follows:*

1. *In order to transform the AUC into an Authority, the Constitutive Act should be amended in accordance with the provisions of Article 32 of the said Act and, thereafter, call upon Member States to expedite the ratification of the amendments;*
2. *There is a need to further study the proposals contained in the Report of the Commission with special regard to:*
  - a. *The functions of the African Union Authority*
  - b. *The size of the Authority*
  - c. *The functions of the Secretaries;*
  - d. *The financial implications of establishing such Authority.*

*In view of the above, the Executive Council requests the Assembly to note that the time allocated for this assignment was inadequate. The Executive Council, therefore, recommends that the Assembly allows time for an Extraordinary Session of the Executive Council to be convened within the next three months to consider these proposals and submit a Report to the next Assembly.”*



**DECISION ON THE ESTABLISHMENT OF AFRICAN PERMANENT SECRETARIAT  
FOR SUSTAINABLE DEVELOPMENT AND THE AFRICAN FUND FOR  
SUSTAINABLE DEVELOPMENT  
Doc. Assembly/AU/8(XII) Add.4**

**The Assembly:**

1. **TAKES NOTE** of the conclusions and recommendations of the Sixth World Forum on Sustainable Development held in Brazzaville, Republic of Congo, from 27 to 30 October 2008;
2. **ENCOURAGES** Member States to take into account the initiatives to promote the harmonious and sustainable development of the Continent;
3. **ENDORSES** the recommendations of the Sixth World Forum on Sustainable Development concerning the establishment of an African Permanent Secretariat for Sustainable Development and an African Fund for Sustainable Development;
4. **WELCOMES** the offer by the Republic of Congo to host the Headquarters of the African Permanent Secretariat for Sustainable Development and the offer by Burkina Faso to host the Second Session of the African Forum on Sustainable Development in October 2009, and urges Member States to participate in the Forum;
5. **REQUESTS** the Commission, in collaboration with the United Nations Development Programme (UNDP), the African Development Bank (AfDB) and other relevant institutions to carry out feasibility studies on the establishment of an African Permanent Secretariat for Sustainable Development as well as the African Fund for Sustainable Development and report thereon to the ordinary session of the Assembly in January 2010.

**DECISION ON THE PROPOSAL BY THE GOVERNMENT OF THE REPUBLIC  
OF EQUATORIAL GUINEA TO HOST THE AFRICAN OBSERVATORY  
OF SCIENCE, TECHNOLOGY AND INNOVATION  
Doc. Assembly/AU/8(XII) Add.5**

**The Assembly:**

1. **TAKES NOTE** of the proposal by the Government of Equatorial Guinea to host the African Observatory of Science, Technology and Innovation;
2. **RECALLS** the AU Assembly Decision Assembly/AU/Dec.161 (VIII) declaring 2007 as the launching year of building constituencies and champions for science, technology and innovation in Africa;
3. **ACKNOWLEDGES** that Member States and the RECs, as the chief stakeholders, should take the lead in the domestication of Africa's Science and Technology Consolidated Plan of Action (CPA) and foster its implementation throughout its Lighthouse Projects;
4. **RECOGNIZES** the need to establish an African Observatory of Science, Technology and Innovation and its role in promoting science and technology for the sustainable development of the Continent;
5. **WELCOMES** the commitment and proposal by the Government of the Republic of Equatorial Guinea to host the African Observatory of science, technology and innovation as part of the Consolidated Plan of Action (CPA) implementation, as approved by the AU Heads of State and Government in Addis Ababa, in January 2007;
6. **APPRECIATES** the offer of Equatorial Guinea consisting in providing office space and a financial contribution in the amount of US\$3,600,000 for the implementation of the African Observatory project under the supervision and management of the AUC;
7. **INVITES** Member States, Regional Economic Communities (RECs), UNESCO, the European Union (EU), non-governmental organizations and partners to support this African initiative including with financial assistance in order to ensure its sustainability;
8. **REQUESTS** the Commission to work closely with the Government of Equatorial Guinea, UN agencies and other stakeholders to supervise and manage the establishment of the African Observatory of science, technology and innovation in Equatorial Guinea.

**DECISION ON THE AFRICAN COMMON POSITION  
ON CLIMATE CHANGE  
Doc. Assembly/AU/8(XII) Add.6**

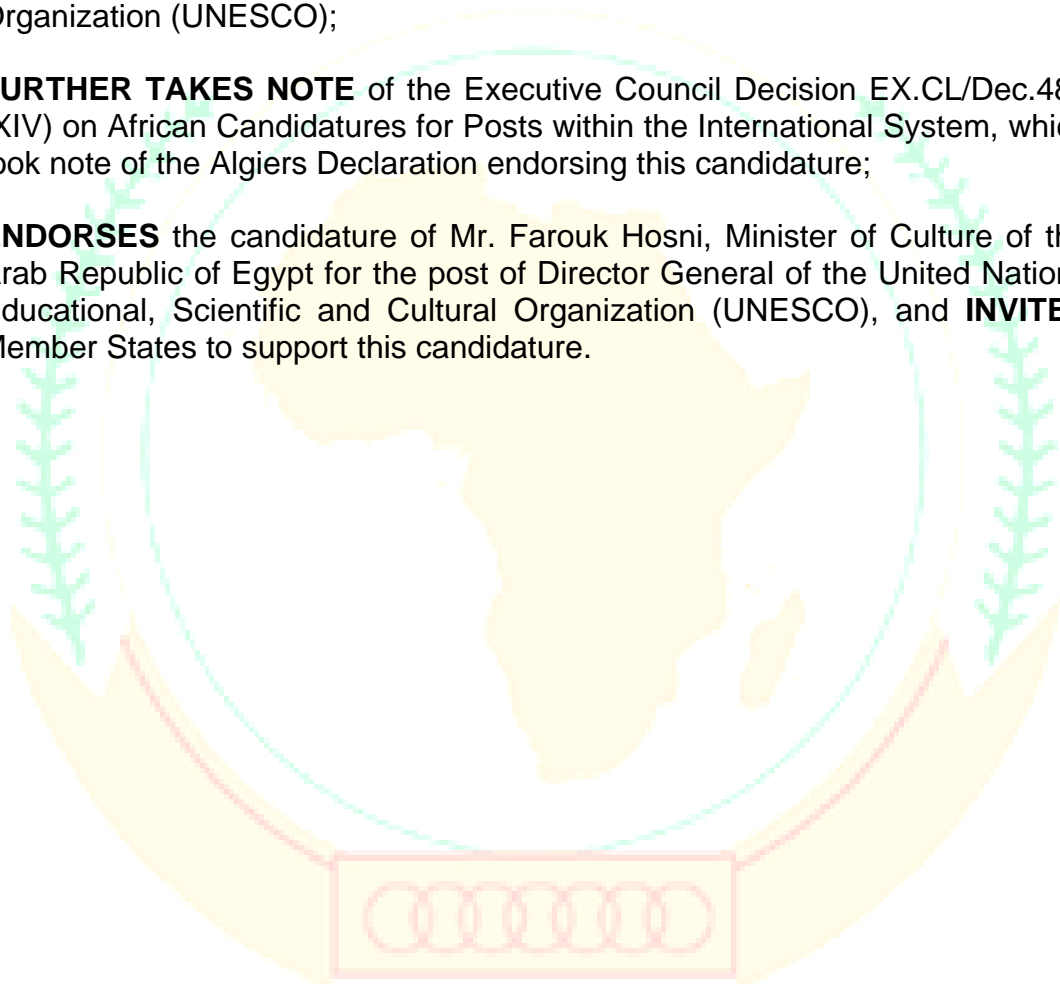
**The Assembly:**

1. **TAKES NOTE** of the Declaration of the Algerian delegation on the deliberations of the Conference of African Ministers of Environment on climate change, held in Algiers from 19 to 23 2008;
2. **RECALLS** that it is in his capacity as Chairperson of the African Group, during the Bali Conference on Climate Change, that Algeria organized the Conference of African Ministers of Environment on Climate Change;
3. **APPROVES** the Algiers Declaration on Climate Change adopted in the form of the Common African Position to serve as the platform of the Common African Position for African countries in the negotiation process for the new global climate change regime for the period after 2012, the year of expiry of the Kyoto Protocol;
4. **RECALLS** that the international negotiations on climate change are expected to be held under the auspices of the United Nations;
5. **EMPHASIZES** that the global carbon trading mechanisms that are expected to emerge from international negotiations on climate change should give Africa an opportunity to demand and get compensation for the damage to its economy caused by global warming and **UNDERLINES** in this regard the fact that despite contributing virtually nothing to global warming Africa has been one of the primary victims of its consequences;
6. **APPROVES** that Africa needs to be represented by one delegation which is empowered to negotiate on behalf of all Member States, with the mandate to ensure that resource flow to Africa is not reduced, and **MANDATES** the Commission to work out modalities of such representation and report to the next ordinary session of the Assembly in July 2009;
7. **INVITES** AU Member States to promote the Algiers Declaration within the framework of their participation in the World Summit on Climate Change, scheduled to be held in Copenhagen, Denmark, in 2009;
8. **REQUESTS** the Commission to make the Algiers Declaration a working document on the issue of climate changes.

**DECISION ON THE CANDIDATURE OF MR. FAROUK HOSNI  
TO THE POST OF DIRECTOR GENERAL OF THE UNESCO**

**The Assembly:**

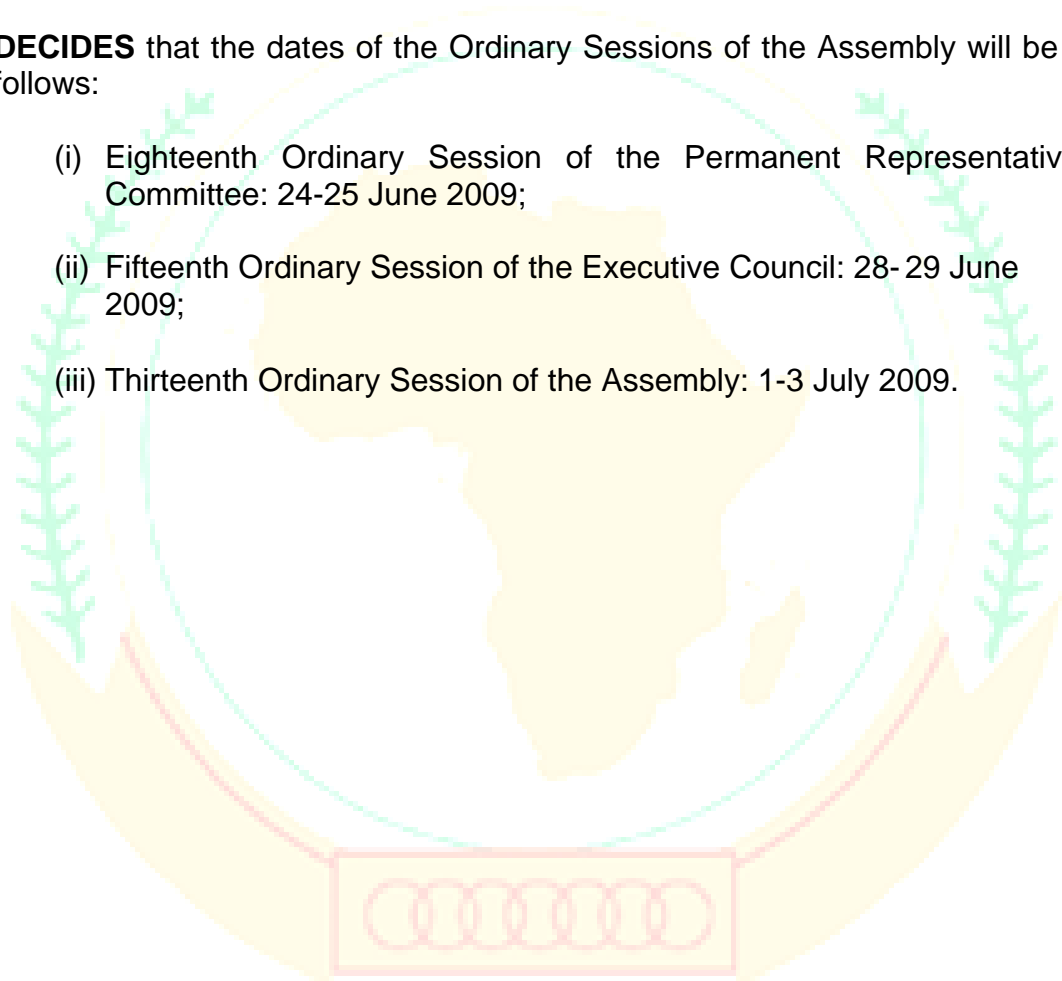
1. **TAKES NOTE** of Algiers Declaration adopted by the Second Conference of Ministers of Culture (CAMC II) held in Algiers, Algeria, from 19 to 23 October 2008, which supported and endorsed the candidature of Mr. Farouk Hosni, Minister of Culture of the Arab Republic of Egypt for the post of Director General of the United Nations Educational, Scientific and Cultural Organization (UNESCO);
2. **FURTHER TAKES NOTE** of the Executive Council Decision EX.CL/Dec.484 (XIV) on African Candidatures for Posts within the International System, which took note of the Algiers Declaration endorsing this candidature;
3. **ENDORSES** the candidature of Mr. Farouk Hosni, Minister of Culture of the Arab Republic of Egypt for the post of Director General of the United Nations Educational, Scientific and Cultural Organization (UNESCO), and **INVITES** Member States to support this candidature.



**DECISION ON THE DATES AND VENUE  
OF THE THIRTEENTH ORDINARY SESSION OF THE ASSEMBLY  
OF THE AFRICAN UNION**

**The Assembly,**

1. **WELCOMES** the offer by the Republic of Madagascar to host the Thirteenth Ordinary Session of the Assembly of the African Union in Antananarivo, Madagascar;
2. **DECIDES** that the dates of the Ordinary Sessions of the Assembly will be as follows:
  - (i) Eighteenth Ordinary Session of the Permanent Representatives' Committee: 24-25 June 2009;
  - (ii) Fifteenth Ordinary Session of the Executive Council: 28-29 June 2009;
  - (iii) Thirteenth Ordinary Session of the Assembly: 1-3 July 2009.



## DECISION ON THE THREAT OF DRUG TRAFFICKING IN AFRICA

### The Assembly:

1. **TAKES NOTE** of the concern expressed by both the Chairperson of the Commission and the Secretary General of the United Nations (UN) in their speeches at the opening session of the Twelfth Ordinary Session of the Assembly, on the increasing threat of drug trafficking in Africa, particularly in West Africa;
2. **RECOGNIZES** that this phenomenon is becoming a major challenge to security and governance in Africa, in general and West Africa in particular;
3. **COMMENDS** the Economic Community of West African States (ECOWAS) for its concerted efforts and actions to combat drug trafficking in the West Africa region;
4. **EXPRESSES APPRECIATION** to the International Community, particularly UN and individual partner countries for the assistance provided in this area;
5. **CALLS ON** all Member States to join in the fight against drug trafficking in all regions of the Continent;
6. **REQUESTS** the Commission, in collaboration with the UN, its Specialized Agency on Drug Control (UNODC), as well as ECOWAS and other Regional Economic Communities to intensify the fight against drug trafficking in Africa.

## DECISION ON THE HISSENE HABRE CASE

The Assembly,

1. **RECALLS** its Decision Assembly/AU/Dec.127(VII) taken in Banjul, the Gambia, in July 2006 mandating the Republic of Senegal “to prosecute and ensure that Hissène Habré is tried, on behalf of Africa, by a competent Senegalese court with guarantees for fair trial”;
2. **REITERATES** its commendation of the Government of the Republic of Senegal for having taken constitutional, legal and regulatory measures to carry out the mandate;
3. **TAKES NOTE** that despite the establishment of the budget for the case by the European Union, which offered to be partner, together with the Government of the Republic of Senegal, the resources needed for the prosecution are not yet available;
4. **CONSIDERS** that the final budget of the case should be prepared and adopted by the African Union, in conjunction with the Government of the Republic of Senegal and the European Union;
5. **CALLS ON** all Member States of the African Union, the European Union and partner countries and institutions to make their contributions to the budget of the case by paying these contributions directly to the African Union Commission;
6. **REQUESTS** the Commission to report on the status of execution of this Decision to the 13<sup>th</sup> Assembly of the African Union.

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**الاتحاد الأفريقي**



**UNION AFRICAINE**

**UNIÃO AFRICANA**

**Addis Ababa, Ethiopia**

**P. O. Box 3243**

**Telephone: 5517 700**

**Fax: 5517844**

**Website: [www. Africa-union.org](http://www.Africa-union.org)**

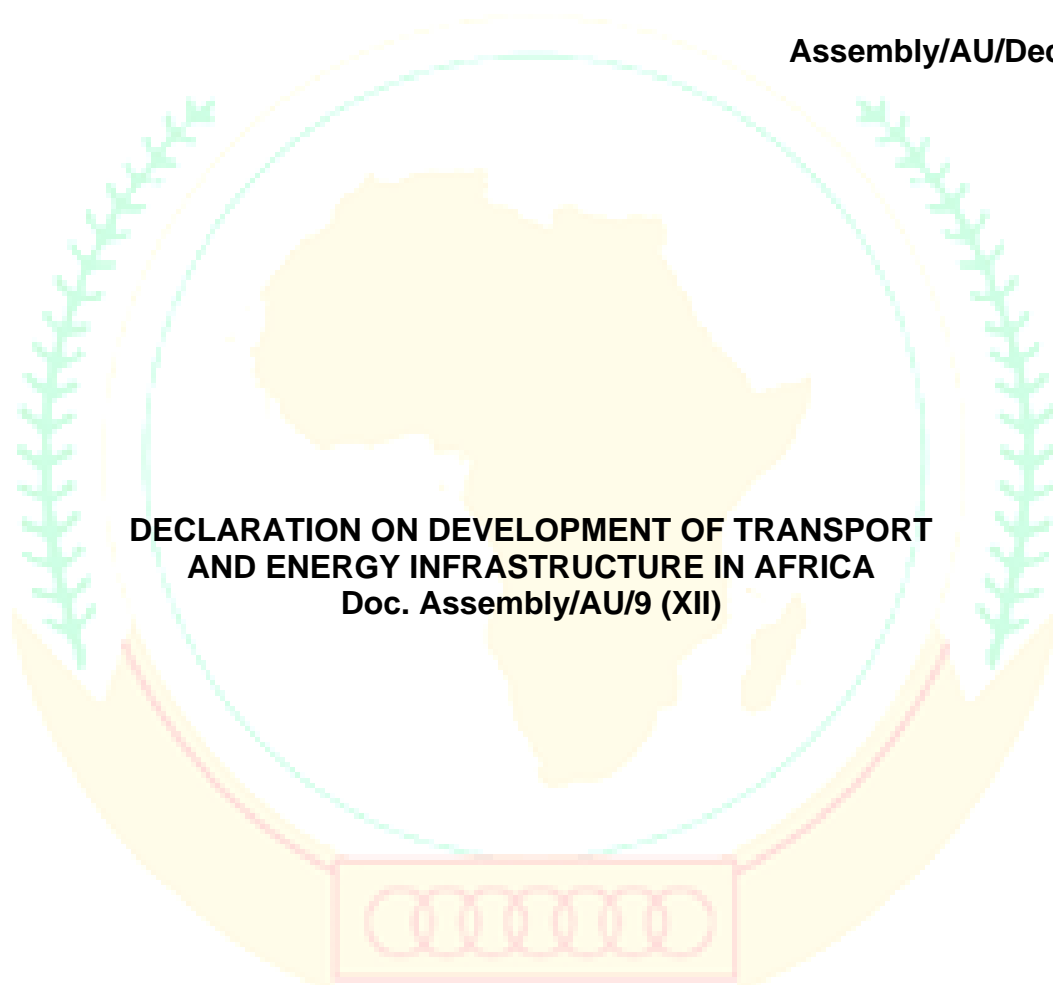
**ASSEMBLY OF THE AFRICAN UNION**

**Twelfth Ordinary Session**

**2-3 February 2009**

**Addis Ababa, ETHIOPIA**

**Assembly/AU/Decl.1(XII)**



**DECLARATION ON DEVELOPMENT OF TRANSPORT  
AND ENERGY INFRASTRUCTURE IN AFRICA  
Doc. Assembly/AU/9 (XII)**

**DECLARATION ON DEVELOPMENT OF TRANSPORT  
AND ENERGY INFRASTRUCTURE IN AFRICA  
Doc. Assembly/AU/9 (XII)**

**WE**, the Heads of State and Government of the African Union, meeting at our Twelfth Ordinary Session in Addis Ababa, Ethiopia, from 1 to 3 February 2009;

**CONSIDERING** the Treaty Establishing the African Economic Community adopted in Abuja, Nigeria, in June 1991;

**BEARING in mind** the Constitutive Act of the African Union adopted in Lomé, Togo, on 11 July 2000;

**CONSIDERING** the Decision of the Assembly of Heads of State and Government held in Sharm El Sheikh, Egypt, in July 2008 to organize the Twelfth Assembly of the African Union on the theme: Infrastructure Development in Africa;

**CONSIDERING** the declarations of the various African Union Conferences of Ministers responsible for Transport and Energy, endorsed by the Executive Council;

**CONSIDERING** the vital role of infrastructure and related services in the political and socio-economic development and the integration of the Continent, as well as in the attainment of the Millennium Development Goals (MDGs);

**RECOGNIZING** the need to speed up development of infrastructure as well as energy and transport services in Africa, and to put in place harmonized sector policies and programmes;

**WELCOMING** the various initiatives on infrastructure development in Africa, including:

1. The New Partnership for Africa's Development (NEPAD);
2. The Infrastructure Consortium for Africa (ICA);
3. The Africa-European Union Infrastructure and Energy Partnerships, as defined in the New European Union Strategy for Africa;

**CONCERNED BY:**

1. The slow pace of implementation of the NEPAD Infrastructure Short-Term Action Plan;
2. The enormity of gaps in transport and energy infrastructure in Africa and the huge financing needs of these infrastructure;
3. The high costs of energy and transport services in Africa, which are seriously affecting the competitiveness of the Continent;
4. The qualitative and quantitative shortage of energy supply;

5. The poor access of African populations to modern energy and transport services, particularly for the low-income social segments;
6. The formality constraints to inter-State transit in Africa, particularly the proliferation and complexity of cross-border procedures;
7. The slow pace of implementation by Member States of the Yamoussoukro Decision on the Liberalization of Access to Air Transport Markets in Africa;
8. The poor resource mobilization for preparation and implementation of infrastructure projects;
9. The deteriorating transport safety and security situation particularly in the maritime and air transport sub-sectors;
10. The impact of the global financial crisis on infrastructure development in Africa;

**UNDERSCORING:**

1. The leadership, coordination, harmonization, facilitation and advocacy roles devolving on the African Union Commission in building economic infrastructure for Africa's development;
2. The decisive role of the Regional Economic Communities and specialized Institutions in the implementation of the programmes for development of transport and energy infrastructure;
3. The need to establish and strengthen the institutional coordination structures of the various actors for implementation of infrastructure development policies and programmes in Africa;
4. The role of the private sector in the development of transport and energy infrastructure in Africa;

**REAFFIRM:**

1. Our determination to pool our efforts to develop efficient infrastructure networks as well as affordable transport and energy services;
2. The urgent need to enhance access to transport and energy infrastructure and services for the majority of the African population;

**UNDERTAKE TO:**

1. Include in our national priorities the various regional and continental interconnection infrastructure network projects and programmes;
2. Harmonize regulations and standards to promote interconnection, and efficient operation of networks and market development;
3. Create appropriate institutional framework for development of the major integration projects and carry out the necessary reforms to ensure better operation and maintenance of these projects;
4. Contribute financially to the NEPAD Infrastructure Projects Preparation Facility;
5. Increase public financing of infrastructure and promote public-private partnerships to speed up the development of transport and energy infrastructure;
6. Enhance the production of and inter-State trade in energy by implementing major integrative hydroelectric power projects and high capacity oil refineries as well as gas and oil pipelines projects;
7. Develop renewable energy resources in order to provide clean, reliable, affordable and environmentally friendly energy;
8. Enhance institutional and research capacities to develop a non-traditional alternative source of energy to meet Africa's long-term energy needs, more specifically nuclear energy for peaceful purposes
9. Accelerate the facilitation of inter-State transport through harmonization of laws and simplification of transit procedures to promote efficiency and safe operation of transport in Africa;
10. Improve connectivity of the air transport networks between Member States of the Union through comprehensive implementation of the 1999 Yamoussoukro Decision;
11. Give high priority to environmental protection and to transport and energy safety and security to promote sustainable development of infrastructure and related services;

**RESOLVE TO:**

1. Support the development of infrastructure in Africa within the framework of the Programme for Infrastructure Development in Africa (PIDA);
2. Develop, as a matter of priority, the major regional and continental hydroelectric power projects, to ensure energy security in Africa;
3. Take all appropriate measures to complete the missing sections in the major transport corridors and remove all physical and non-physical barriers to the development of inter-State transport in Africa;
4. Institute appropriate institutional, legal and regulatory reforms, conducive for private sector investment in infrastructure development;
5. Promote innovative financing mechanisms to speed up the development of transport and energy infrastructure;

**INVITE** the African Union Commission to take all necessary measures to:

1. Formulate and implement, under its coordination, the Programme for Infrastructure Development in Africa as well as capacity building in the transport and energy sectors;
2. Take appropriate measures to promote the execution of integrative hydroelectric power interconnection projects;
3. Speed up the facilitation of inter-State trade in Africa;
4. Promote projects and strategies aimed at enhancing connectivity as well as safety and security in the transport sector;

**URGE:**

1. Member States of the African Union and the Regional Economic Communities to foster inter-African and international cooperation in the transport and energy sectors;
2. The African Union Commission to deploy its best efforts to ensure expeditious implementation of this Declaration.

**LAUNCH AN APPEAL** to the United Nations Economic Commission for Africa, the African Development Bank, the World Bank, the European Union and all development partners to support the implementation of this Declaration.

## ADDIS ABABA DECLARATION ON THE INTERNATIONAL FINANCIAL CRISIS

### PREAMBLE

**WE**, African Heads of State and Government, meeting on 3 February 2009 in Addis Ababa, Ethiopia have considered the unfolding of the current international financial crisis and its economic and social implications for our countries;

**CONSCIOUS** of the fact that the current international financial crisis will continue to slow down global demand for basic commodities, reduce the volume of capital flows, both public and private, towards Africa, and affect the competitiveness of our economies;

**CONCERNED** over the fact that the development and scope of this crisis continue to slow down economic growth, further worsen our balance of payments situation, aggravate our budget deficits and turn round our efforts to achieve the Millennium Development Goals (MDGs);

**COMMENDING** the various initiatives being taken worldwide and in Africa to mitigate the contagious effects of the crisis and contain its impacts;

**REFERRING** to the content of the final Communiqué issued by the Extraordinary Conference of Ministers of Economy and Finance and Governors of Central Banks held on 12 November 2008 in Tunis, Tunisia;

**REFERRING** to the content of the final Communiqué issued by the meeting of the Committee of Ten, held on 16 January 2008 in Cape Town, South Africa;

**RECALLING** the commitments of our States to promote the development and integration of African economies, notably through the establishment of three financial institutions, namely the African Monetary Fund, the African Central Bank and the African Investment Bank, which will monitor and coordinate African responses to future crises;

### DECLARE AS FOLLOWS:

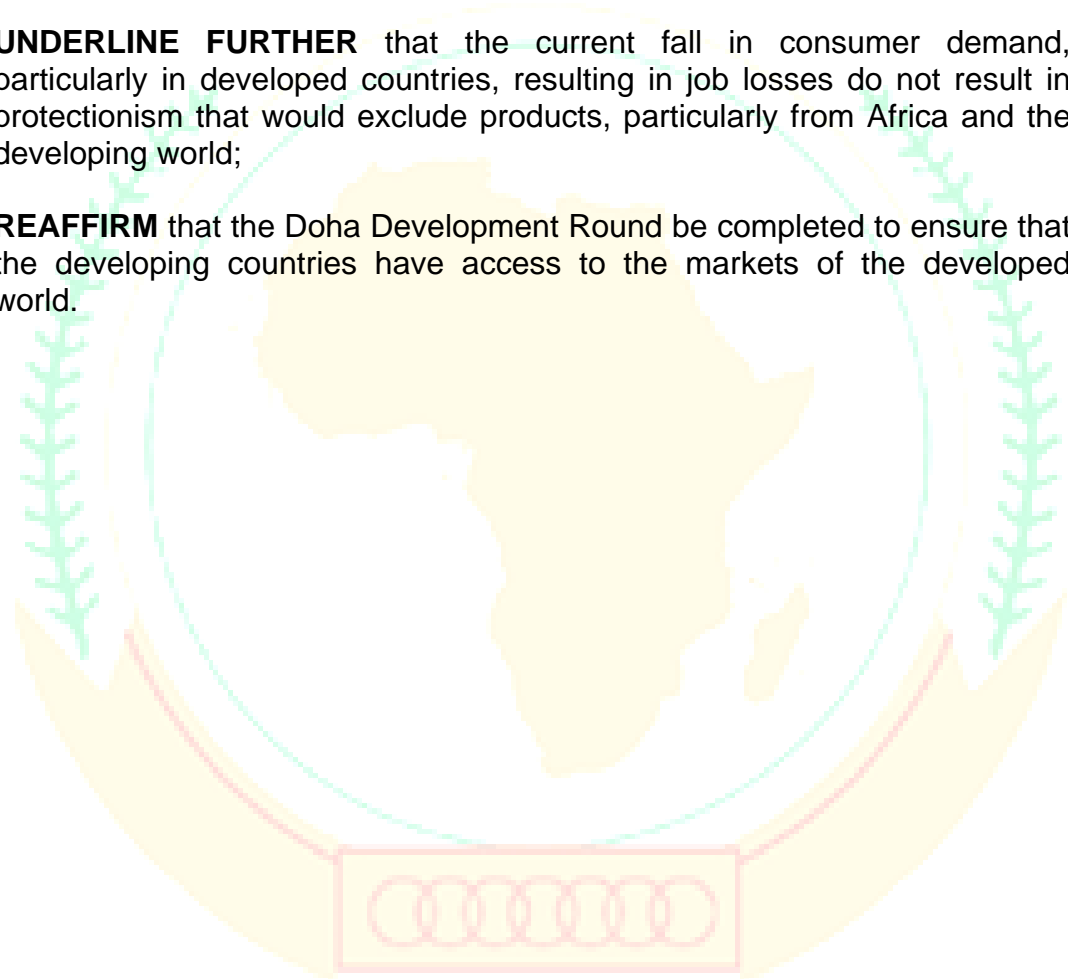
1. **RECOGNIZE** the need to strengthen all efforts aimed at mobilizing additional resources and **UNDERScore** the necessity to pursue the sound regulation of the African financial system and step up financial supervision;
2. **ENCOURAGE** the strengthening of measures taken by our Governments, regional and continental organizations as well as international institutions to notably enhance the mobilization of domestic resources and stabilize our finances to prevent a deep slowdown and economic upheavals;
3. **CALL FOR** equally vigorous, flexible and innovative action to be taken to address the threats posed by the current crisis to growth and Africa's development;

4. **EXPRESS** our satisfaction with the fruitful cooperation between the African Union Commission, the United Nations Economic Commission for Africa and the African Development Bank in Africa's mobilization against the current financial crisis, and call for the continued mutual exchange of information and ideas on the situation;
5. **SUPPORT** the Communiqué issued by the G20 on 15 November 2008 appealing to the international financial institutions to play an anti-cyclical role in support of the public and private sectors, transcending their traditional role of stimulators of economic growth;
6. **COMMEND** the African Development Bank for the responses proposed through the Emergency Liquidity Facility (ELF), the Trade Financing Initiative (TFI) and other innovative programmes to help African countries in mitigating the effects of the crisis;
7. **INVITE** the shareholders of the African Development Bank to consider as a priority increasing the capital of the Bank so that it can further step up its support to our countries, while respecting their diversity and according to their needs;
8. **REAFFIRM** our commitment to the integration of African stock exchanges which can help to boost efficiency in the mobilization of domestic resources;
9. **REMAIN FERVENTLY CONVINCED** that, through voluntary policies, we can mitigate the worst effects of the crisis and defend our priorities and concerns within the scope of the ongoing global dialogue which aims to reform the international monetary and financial system;
10. **CONVINCED** of Africa's role in the resolution of the crisis, **DEPLORE** the fact that Africa was totally marginalised in the deliberations which led to the establishment of the current international financial system, giving rise to a situation that encouraged the present financial crisis
11. **EXPRESS** our gratitude to South Africa as a member of G20 for having clearly expressed Africa's opinions during the G20 process;
12. **REITERATE** our call for an in-depth reform of the global financial system, based on an inclusive approach which fully integrates, in all legitimacy, the voice of Africa;
13. **REAFFIRM** that Africa must be fully represented in deliberations on the financial crisis while calling for the G20 framework to be revised to include all the Member States of the United Nations System. In the meantime, the African Union should have a seat at the G20;

14. **RECOGNIZE** the need to speed up the economic integration of the Continent to highlight the enormous resilience potential of the African Continent by giving concrete expression to political and economic integration;
15. **INVITE** the African Union Commission, in collaboration with the Regional Economic Communities, the African Union Member States and all the other stakeholders to quickly finalise the Minimum Integration Programme and diligently carry out its concerted implementation with the aim of integrating our continent politically and economically;
16. **INVITE** the African Union Commission to fast track and quickly finalise the preparatory work for the establishment of the African Investment Bank, the African Monetary Fund and the African Central Bank;
17. **INVITE** the African Union Commission to put in place an appropriate multilateral monitoring system for the continent, geared towards providing coherent statistical information on the macroeconomic and financial development of African Union Member States and Regional Economic Communities, with a view to establishing the African Central Bank leading up to the creation of a single African currency.
18. **CALL** for a real voice to be given to Africa in the reform of the international financial institutions aimed at better management of economic shocks and ensuring predictability of resource flows and the effectiveness of aid;
19. **UNDERLINE** the need for improvement of the effectiveness of aid to Africa including by removing outdated conditionalities on aid and ensuring objectivity and transparency in the determination of criteria for resource flows from international financial institutions to Africa;
20. **UNDERLINE FURTHER** that the current global financial crisis should not be used as an excuse to cut development assistance to Africa and insists that developed countries ought to give no less attention to the needs of African countries than they have given to their financial institutions that have encountered crisis;
21. **RECALL** that the international negotiations on climate change are expected to be held under the auspices of the United Nations;
22. **EMPHASIZE** that the Global carbon trading mechanisms that are expected to emerge from international negotiations on climate change should give Africa an opportunity to demand and get compensation for the damage to its economy caused by global warming and underlines in this regard the fact

that despite Africa contributing virtually nothing to global warming has been one of the primary victims of its consequences;

23. **CONVINCED** that Africa needs to be represented by one delegation which is empowered to negotiate on behalf of all Member States, with the mandate to ensure that resource flow to Africa is not reduced, **MANDATE** the African Union Commission to work out modalities of such representation and report thereon to the next Summit;
24. **UNDERLINE FURTHER** that the current fall in consumer demand, particularly in developed countries, resulting in job losses do not result in protectionism that would exclude products, particularly from Africa and the developing world;
25. **REAFFIRM** that the Doha Development Round be completed to ensure that the developing countries have access to the markets of the developed world.



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**UNION AFRICAINE**

**UNIÃO AFRICANA**

Addis Ababa, Ethiopia

P. O. Box 3243

Telephone: 5517 700

Fax: 5517844

Website: [www.Africa-union.org](http://www.Africa-union.org)

**ASSEMBLY OF THE AFRICAN UNION**

**Twelfth Ordinary Session**

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**Addis Ababa, ETHIOPIA**

**Assembly/AU/Message(XII)**



**MESSAGE OF CONGRATULATIONS TO H.E. MR. BARACK OBAMA,  
PRESIDENT OF THE UNITED STATES OF AMERICA**

The Assembly of the African Union meeting in its 12<sup>th</sup> Ordinary Session in Addis Ababa, Ethiopia, wishes to congratulate H.E. Mr. Barack Obama over his resounding victory and assumption of the High Office of President of the United States of America.

The Assembly wishes to underscore the great importance the African Union and its Member States attach to the strengthening and consolidation of relations with the United States of America, a great country which plays a leading role in world affairs.

The Assembly of the African Union is confident that under the dynamic and wise leadership of President Obama and with his reaffirmed commitment to the promotion of dialogue on all strategic issues of interest to the future of humanity and his sensitivity to the global challenges confronting the world, a new hope for change in the world would be created. Furthermore, this change will also create a conducive opportunity in boosting peace, security and sustainable development in the world and particularly in Africa for the benefit of all humanity.

While looking forward and committed to strengthening the excellent relations which exist between Africa and the United States of America, the Assembly welcomes the administration of President Obama which opens a new chapter for America, Africa and indeed the entire world.

**Addis Ababa, 2 February 2009**

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**UNION AFRICAINE**

**UNIÃO AFRICANA**

Addis Ababa, Ethiopia

P. O. Box 3243

Telephone: 5517 700

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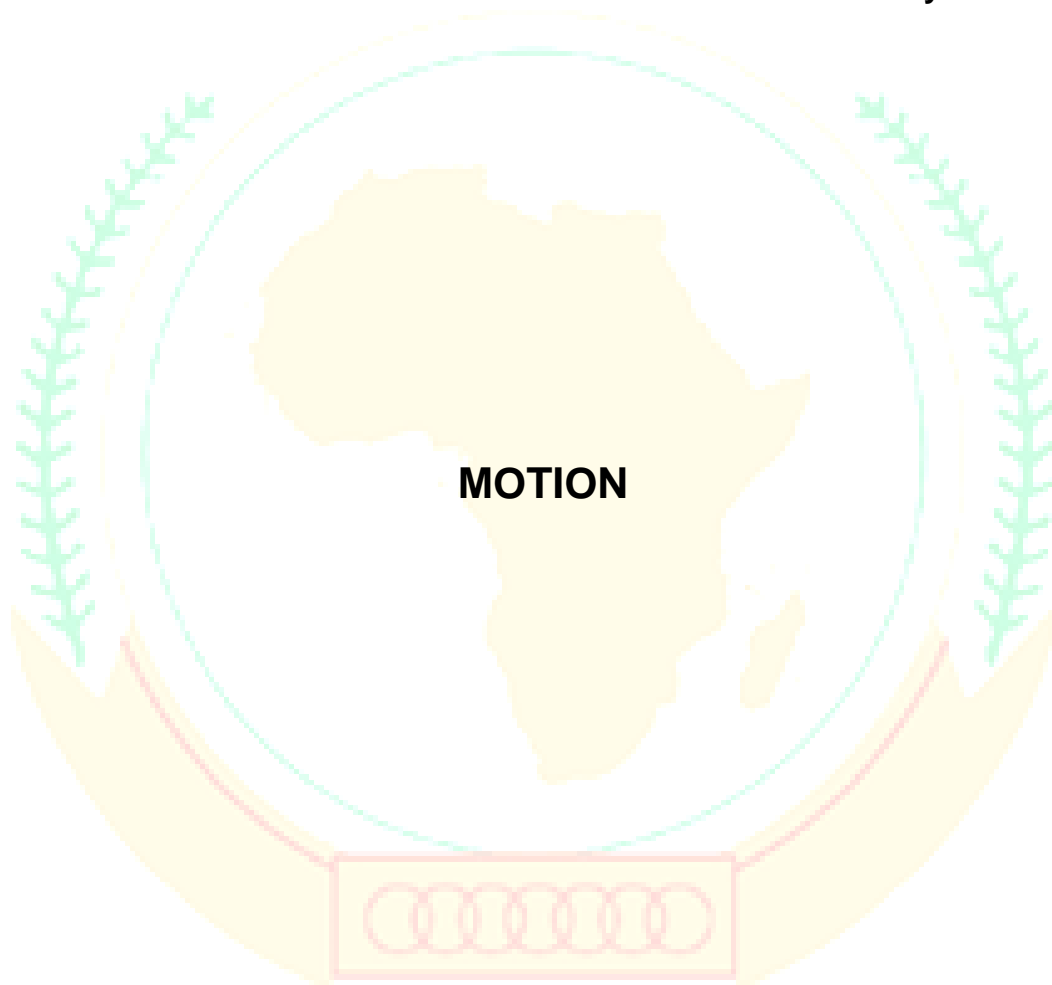
## **ASSEMBLY OF THE AFRICAN UNION**

**Twelfth Ordinary Session**

**2-3 February 2009**

**Addis Ababa, ETHIOPIA**

**Assembly/AU/Motion(XII)**



## **MOTION**

During the Session of the Assembly on 3<sup>rd</sup> February, 2009 the following motion was moved by a Member State for consideration of the Assembly;

“Yesterday, 2<sup>nd</sup> February, 2009, this Assembly was addressed by a so-called Representative of Traditional Kings of Africa. The action contravened the Rules of Procedure governing the conduct of business by the Assembly.

### **Rule No. 10, Sub-rule 3 states:**

*“The Assembly may invite any other personality to address the Assembly at the opening and closing ceremonies”*

### **Rule No.13 states:**

*“All the Sessions of the Assembly shall be closed. The Assembly may, however, decide by simple majority whether any of its sessions shall be open”*

The above quoted Rules were flouted because at no point did the Assembly agree to invite the so-called Representative of Traditional Kings of Africa to address the Assembly”.

The Assembly should therefore note that the address by the so-called Representative of the Traditional Kings of Africa contravened the Rules of Procedure and should be expunged from the records of the Assembly.”

During the ensuing discussion, the motion was seconded and adopted by the Assembly on 3<sup>rd</sup> February 2009.

Addis Ababa, 3 February 2009