Towards a People-Driven African Union

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**ENDNOTES**


2. ‘Summit’ in this report means the whole series of inter-governmental meetings that take place in one location at one period, including those of the Assembly of Heads of State and Government, the Executive Council and the Permanent Representatives Committee.


5. Article 2 of the OAU Charter.


8. AU Constitutive Act, preamble.

9. Ibid., Article 3(f).

10. Ibid., Article 4.

11. Ibid., Article 4(h).

12. Ibid., Article 23.

13. Ibid., Article 30.

14. Ibid., Article 3(f).

15. The departments are: the Office of the Chairperson (headed by Chair Alpha Oumar Konaré); Office of the Deputy Chairperson (Patrick Mazimhaka); Peace and Security (Commissioner Said Djinnit); Political Affairs (Julia Dolly Joiner); Infrastructure and Energy (Bernard Zoba); Social Affairs (Bience P Gawanas); Human Resources, Science and Technology (Nagia Mohammed Assayed); Trade and Industry (Elisabeth Tankeu); Rural Economy and Agriculture (Rosebud Kurwijila); and Economic Affairs (Maxwell Mkwazalamba). In addition, headed by directors rather than commissioners, and located in the Office of the Chairperson, are the Office of the Legal Counsel (Adv. Ben Kioko), the Women, Gender and Development Directorate (Acting Director Yetunde Teriba, as of November 2006); the African Citizens’ Directorate (Jinmi Adisa); and the Directorates for Conferences and Events (Assoul Boubekei); Programming, Budgeting, Finance and Accounting; and Administration and Human Resources Development.

16. A protocol is under debate to merge the Court of Justice with the African Court of Human and Peoples’ Rights; see section discussing key decisions at 2006 summits below. The African Commission on Human and Peoples’ Rights is not mentioned as an organ of the African Union in the Constitutive Act, but its authority rests independently on the African Charter on Human and Peoples’ Rights; to which there is also a protocol establishing an African Court on Human and Peoples’ Rights. The financial institutions include an African Central Bank, African Monetary Fund, and African Investment Bank (Constitutive Act, Article 19). The proposed committees are to be composed of relevant ministers, and are to be dedicated to: Rural Economy and Agricultural Matters; Monetary and Financial Affairs; Trade, Customs and Immigration Matters; Industry, Science and Technology, Energy, Natural Resources and Environment; Transport, Communications and Tourism; Health, Labour and Social Affairs; and Education, Culture and Human Resources (Constitutive Act, Article 14).


20. Articles 90 and 91 of the Treaty Establishing the African Economic Community.


22. Constitutive Act, preamble.


26. The Commission had requested a staff of 1 300 in 2005 and the complement approved by the Assembly was 750, but the budget

24 Structure of Budget and Modalities of Funding, Executive Council, Ninth Ordinary session 25–29 June 2006, Banjul, the Gambia, EX.CL/246(IX).

25 Other states contribute much less: for example, Ethiopia and Botswana contribute 0.63 and 0.83 per cent of the total budget respectively. See Statement of Contributions of Member States to the African Union Budget as at 12 June 2006, Executive Council, Ninth Ordinary Session 25–29 June 2006, Banjul, the Gambia, EX.CL/249(IX) and Decision on the Scale of Assessment, Assembly/AU/Dec.88(V), Sirte, Libya, 2004.


28 The January 2006 summit was an exception, being held in Khartoum, Sudan, due to controversy in 2005 over Sudan's candidacy to be AU president.

29 Decision on the Framework for the Organisation of Future Summits, Assembly/AU/Dec.65(V). At the inauguration of the AU in 2002, the body held its summits once a year.

30 Interview with official, Office of the President, Gaborone, Botswana, 26 September 2006.

31 Interview with official, Africa Multi-lateral, Department of Foreign Affairs, Pretoria, South Africa, 7 June 2006.

32 Interviews with officials and inputs at consultative meeting, Addis Ababa, 10–11 November 2006.


40 See for example Annotated Agenda, Executive Council, Ninth Ordinary Session, 25–29 June 2006, Banjul, the Gambia, EX.CL/Annotated/Agenda(IX).

41 Input at consultative meeting, Addis Ababa, 10–11 November 2006.

42 See Article 9, Paragraph 2(g) of the Rules of Procedure of the AU Executive Council and Article 8, Paragraph 2(d) of the Rules of Procedure of the AU Assembly.


45 Assembly/AU/8(VI) Add.13

46 Assembly/AU/9(VII) Add.3

47 Assembly/AU/8(VI) Add.12

48 Assembly/AU/9(VII) Add.2

49 Assembly/AU/8(VI) Add.12.

50 See EX.CL/242(VIII) Add.9.


52 See Article 8, Paragraph 11(m) of the Statutes of the Commission of the African Union.


55 See Assembly/AU/9(VII) Add.4., p.4.

56 See Ex.CL/290(X) Add.2

57 Interview with official, Legal Affairs Directorate, Ministry of Foreign Affairs, Addis Ababa, Ethiopia, 12 April 2006.


59 Not one of the papers submitted in support of the agenda items proposed by Algeria, Congo or Mali in 2006 was ten pages long. The report by Mali on the 21st Francafrique summit was actually the final statement of the meeting.

60 For example, the paper by Congo was just 2½ pages long requesting a review of the mandate of the Commissioner in charge of Labour and Social Affairs (AssemblyAU/9(VII) Add.3.
For example, Article 3 of Presidential Decree No. 02-406 of 26 November 2002 establishing the powers and duties of the ambassadors of the Democratic and Popular Republic of Algeria requires the ambassador to ‘assist national actors (enterprises, media organisations.

such was the case, for instance, of the Algerian Prime Minister who represented President Abdelaziz Bouteflika at part of the Banjul summit of July 2006.

the terminology used in the constitutions of four civil law countries demonstrates a considerable difference in their approach. While the Constitution of Senegal solemnly affirms the Government’s commitment to contributing to the achievement of African Unity and authorises the Government to ‘sign agreements of association or community with any (other) African state including partial or total renunciation of sovereignty with a view to achieving African unity’ (Article 89, Paragraph 2) and Mali devotes a whole part (Part 15) of its constitution to African Unity, the Algerian constitution only mentions the fact that Algeria belongs to Africa in its Preamble, whereas the constitution of Congo mentions in its preamble that the country intends to ‘contribute to world peace as a member of the African Union.’
Interview with officials, Africa and AU Directorate, Ministry of Foreign Affairs, Nairobi, Kenya, 18 April 2006; Africa Affairs and General Directorate, Ministry of Foreign Affairs, Addis Ababa, Ethiopia, 12 April 2006.

Interview with officials, Africa Affairs and General Directorate, Ministry of Foreign Affairs, Addis Ababa, Ethiopia, 12 April 2006.

Interview with officials, Africa and AU Directorate, Ministry of Foreign Affairs, Nairobi, Kenya, 18 April 2006; Africa Affairs, General Directorate, Ministry of Foreign Affairs, Addis Ababa, Ethiopia, 12 April 2006; and AU and Multi-lateral Department, Ministry of Foreign Affairs and Cooperation, Maputo, Mozambique, 12 October 2006.

The government departments responsible for education in South Africa and Kenya took the lead in formulating a government position in the respective countries. See interviews with officials, Africa Multi-lateral, Department of Foreign Affairs, Pretoria, South Africa, 7 June 2006; Africa and AU Directorate, Ministry of Foreign Affairs, 18 April 2006.

Interview with officials, Africa Multi-lateral, Department of Foreign Affairs, Pretoria, South Africa, 7 July 2006; and Office of the President, Gaborone, Botswana, 26 September 2006.

Interview with official, AU and Multi-lateral, Ministry of Foreign Affairs and Cooperation, Maputo, Mozambique, 12 October 2006.

Interview with official, East Africa Community Ministry, Nairobi, Kenya, 20 April 2006. The AU ordinarily consults the RECs for input ahead of the summit.

Inputs at consultative meeting, Addis Ababa, 10–11 November 2006.

Assembly/AU/Dec. 83(V), Sirt, Libya.


Interview with official, Africa and AU Directorate, Ministry of Foreign Affairs, Nairobi, Kenya, 18 April 2006.

Interview with official, Africa and Middle East Division, Ministry of Foreign Affairs and Cooperation, Maputo, Mozambique, 12 October 2006.

Interview with technical adviser of the Ministry of Foreign Affairs of Mali, in Bamako, 24 August 2006.

See http://www.pmg.org.za. This website contains parliamentary committee meeting minutes, including those of the Foreign Affairs parliamentary committee, which has oversight of the Ministry of Foreign Affairs.


In Mali, it seems that the prime minister plays only a marginal role in determining the composition of the official delegation, which is a responsibility of the Office of the President of the Republic and the Ministry of Foreign Affairs. See above-mentioned interview with an adviser of the Minister of Foreign Affairs in Bamako.

Interview with official, Africa and AU Directorate, Ministry of Foreign Affairs, Nairobi, Kenya, 18 April 2006.

The Association pour le Progrès et la Défense des Droits des Femmes (APDF or Association for the Advancement and Defence of Women’s Rights) whose representative was recently appointed ambassador to Germany, and the Association des juristes malien (AJM or Malian Association of Jurists).

Interview with the Senegalese Ambassador to the African Union, 6 October 2006.


A Regional Economic Community (REC) is defined as a regional grouping formed as a legal entity with the purpose to achieve economic, social and political integration. See Treaty Establishing the African Economic Community (1991).

The Treaty Establishing the African Economic Community, Article 88(1) reads: The community shall be established mainly through the coordination, harmonisation and progressive integration of the activities of the regional economic communities. Article 6 of the Treaty outlines six stages over 40 years from adoption of treaty to achieve full economic and political integration.

Economic Community of Central African States (11 members – Angola, Burundi, Democratic Republic of the Congo, Congo, Cameroon, Central African Republic, Chad, Equatorial Guinea, Gabon, Rwanda, Sao Tome and Principe); Economic Community of West African States (15 members – Benin, Burkina Faso, Cape Verde, Cote d’Ivoire, the Gambia, Ghana, Guinea Bissau, Guinea, Liberia, Mali, Nigeria, Niger, Senegal, Sierra Leone, Togo); Common Market for East and Southern African States (20 members – Burundi, the Comoros, the Democratic Republic of the Congo, Djibouti, Eritrea, Ethiopia, Kenya, Somalia, Sudan, Uganda); Arab Maghreb Union (5 members – Algeria, Libya, Mauritania, Morocco, Tunisia); East African Community (three members – Kenya, Tanzania, Uganda); the Community of Sahelo-Saharan States (25 members – Benin, Burkina Faso, Central African Republic, Chad, Côte d’Ivoire, Djibouti, Egypt, Eritrea, The Gambia, Ghana, Guinea-Bissau, Liberia, Libya, Mali, Morocco, Niger, Nigeria, Senegal, Sierra Leone, Somalia, Sudan, Togo, Tunisia); Southern African Development Community (14 members – Angola, Botswana, Democratic Republic of the Congo, Lesotho, Malawi, Mauritius, Madagascar, Mozambique, Namibia, South Africa, Swaziland, Tanzania, Zambia, Zimbabwe); Other groupings that are not considered RECs are, for example, the Southern African Customs Union and the Manu River Union.

For example, Kenya is a member of the East African Community, the Common Market for East and Southern African States and the Inter-Governmental Authority for Development.


Draft Protocol on the Relationship between the Regional Economic Communities (REC) and the AU EX.CL/158(IX).
112 Interview, Dr Kokerai, Legal Affairs Unit, SADC Secretariat, Gaborone, Botswana, 28 September 2006.
113 Interview, Dr Kokerai, Legal Affairs Unit, SADC Secretariat, Gaborone, Botswana, 28 September 2006.
116 Interview, Dr. A Mondlane, Policy and Strategic Planning Unit, SADC Secretariat, Gaborone, Botswana, 28 September 2006.
117 Interview, M Mathiba-Madibela, Gender Unit, SADC Secretariat, Gaborone, Botswana, 28 September 2006.
118 Interview, Dr. Kokerai, Legal Affairs Unit, SADC Secretariat, Gaborone, Botswana, 25 June 2006.
120 Proceedings Report, the 2nd SADC Civil Society Forum, theme, ‘Democratic Governance and Regional Economic Integration’, hosted by SADC CNGO, 14–16 August, Maseru, Lesotho.
121 Interview, Alice Mogwe, Ditshwanelo, Gaborone, Botswana, 26 September 2006.
123 Proceedings Report, the 2nd SADC Civil Society Forum, theme, ‘Democratic Governance and Regional Economic Integration’, hosted by SADC CNGO, 14–16 August, Maseru, Lesotho.
124 Interview, Dr. Kokerai, Legal Affairs Unit, SADC Secretariat, Gaborone, Botswana, 28 September 2006.
125 Interview, M Mathiba-Madibela, Gender Unit, SADC Secretariat, Gaborone, Botswana, 28 September 2006.
127 Interview, Dr. A Mondlane, Policy and Strategic Planning Unit, SADC Secretariat, Gaborone, Botswana, 25 June 2006.
128 According to the AU’s five geographical regions, the Democratic Republic of the Congo (DRC) belongs to the Central African region. The DRC belongs to three RECs.
129 Interview, Dr Kokerai, Legal Affairs Unit, SADC Secretariat, Gaborone, Botswana, 28 September 2006.
133 Article 3 of the Charter of the West African Civil Society Forum.
134 They are: ECOWAS and civil society organisations; food, agriculture and environment; gender issues; governance, democracy and human rights; Health, HIV-AIDS, and education; Media, telecommunications, and information technology; Peace and security; Policy research and database; regional integration, economic development, trade and investment; youth. See Article 8(2) and (3) of the Charter of the West African Civil Society Forum.
135 Article 6(3) of the Charter of the West African Civil Society Forum.
136 Article 6(3) of the Charter of the West African Civil Society Forum.
137 Final Communiqué of the 28th summit of the ECOWAS; Paragraphs 117 & 118 of the final report of the 53rd ordinary session of the Council of Ministers of ECOWAS.
138 Article 8(2) and (3) of the Charter of the West African Civil Society Forum.
139 The first Forum took place in Accra (11–12 December 2003), the second in Accra (10–13 January 2005) and the third in Niamey (4–6 January 2006).
141 Including to Benin, Burkina Faso, Gambia, Ghana, Guinea Bissau, Liberia and Togo. A pre-election evaluation mission was also sent to Cote d’Ivoire.
142 See Declaration and Treaty of the SADC.
143 Recommendations of the West African Civil Society Forum adopted in Niamey (January 2006) to the ECOWAS Council of Ministers, p.4.
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In a press statement of 17 January 2006, the Fédération Internationale des Ligues de droits de l’homme (FIDH) noted that ‘a recommendation of the ECOWAS NGO Forum adopted in January 2006 demanded the extradition of President Habré in order to respect the right to a fair process and the right to justice for his victims’. This was not quite correct in respect of the content of the WACSOF recommendations.

These weaknesses are reflected in the recommendation of the WACSOF meeting held in Niamey in 2006 inviting member states to ‘respect their commitments to end slavery, trafficking in and exploitation of children ... and to encourage education and information of citizens on these inhuman practices and to end them’, which could have been adopted by any meeting of human rights organisations. WACSOF should have rather been more precise on the routes of trafficking in persons, the role of the institutions of certain member states, and demanded specific rather than vague actions by the heads of state and government and the ECOWAS organs.

Inputs at consultative meeting, Addis Ababa, 10–11 November 2006.


Interview, Binta Diop, Information supplied by Faiza Mohamed, Equality Now, November 2006.


Inputs at consultative meeting, Addis Ababa, 10–11 November 2006.

Resolution and Recommendations of the Third AU-CSO Forum held in Banjul, the Gambia to the Seventh Ordinary Session of the Assembly of State and Government, 21 June 2006.

Telephone interview with official, Africa Renaissance Organisation for Southern Africa and Secretary General for the South Africa chapter of ECOSOCC, 26 July 2006; interview, Helder Malauene, Foundation for Community Development and member of the Interim Standing Committee, Maputo, 10 October 2006.

The single-chamber Pan-African Parliament may provide a further opportunity for civil society to influence AU policy-making, especially when it ceases being a purely advisory body and assumes its legislative duties in 2009. However, its operations were not researched for the purposes of this report.


Constitutive Act of the AU (2001), Article 22 reads: ‘(t) The Economic, Social and Cultural Council shall be an advisory organ composed of different social and professional groups of Member States of the Union.’ The definition of the ECOSOCC constituency is still not entirely clear: for example, the status of faith-based organisations within ECOSOCC is being clarified.


Decision on the Economic, Social and Cultural Council (ECOSOCC), Assembly/AU/Dec.48(III).

176 The interim bureau consists of the interim president and four interim deputy presidents: Fatima Karadja (north Africa); Charles Mutasa (southern Africa); Ayodele Aderinwale (west Africa); and Maurice Tadadjeu (central Africa).

177 Interim Standing Committee members are: Jean Collins Musonda Kalusambo, Solidarité pour la Jeunesse Asbl-ONGD, Democratic Republic of Congo; Julienne Mavoungou Makaya, CARESCO, Republic of Congo; Yvette N Rekangalt, Union des ONG du Gabon; Zeinab Kamel Ali, National Committee for Human Rights, Djibouti; El Hussein Abdel Galil Mohammed, Freedom Equality Peace Society, Sudan; Patrick Kayemba, DENIVA, Uganda; Amany Asfour, Egyptian Business Women’s Association, Egypt; Saïda Agrebi, Association of Tunisian Mothers, Tunisia; Ahmed Abdel Fattah, Sahrawi Youths Union; Moses Tito Kachima, Southern Africa Trade Union Coordination Council, Botswana; Joyce Nondwe Kanyago, National Women’s Coalition, South Africa; Helder Francisco Malauene, Foundation for Community Development, Mozambique; Mama Koite Doumbia, Syndicat National de l’Éducation et de la Culture, Mali; Landing Badjì, Ligue Africaine des Droits de l’Homme et des Peuples, Senegal; Omar Gassama, National Youth Council, The Gambia.


179 Interview, Helder Malauene, Foundation for Community Development and Interim Standing Committee member, Maputo, Mozambique, 11 October 2006.

180 Draft Decision on Transitional Arrangements for the Launching of the Economic, Social and Cultural Council (ECOSOCC) of the African Union. The decision reads: ‘In order to ensure the speedy launching of ECOSOCC, the Commission shall convene a General Civil Society Conference which shall serve as the Interim General Assembly of ECOSOCC pending the election and setting up of the General Assembly.’


182 Inputs at consultative meeting, Addis Ababa, 10–11 November 2006.


184 Interview, Ousmane Yabo, the Association of NGOs, Johannesburg, South Africa, 25 June 2006.


186 Interview, Helder Malauene, Foundation for Community Development and Interim Standing Committee member, Maputo, Mozambique, 11 October 2006.


188 Inputs at consultative meeting, Addis Ababa, 10–11 November 2006.


191 Interview, James Shikwati, director, Inter-Region Economic Network and national coordinator for Kenya chapter of ECOSOCC, 19 April, Nairobi, Kenya, 2006.


193 Telephone interview, Zanele Mkhwazanasi, South African Non-Governmental Organisation Coalition (SANGOCO), 30 August 2006.


195 Ibid.


197 Interview with official, Africa Multi-lateral, Department of Foreign Affairs, Pretoria, South Africa, 7 June 2006.

198 Ibid., 192 above.


200 Interview, Alice Mabote, Liga dos Direitos Humanos, Maputo, Mozambique, 11 October 2006.

201 Interview, Helder Malauene, Foundation for Community Development and Interim Standing Committee member, Maputo, Mozambique, 11 October 2006.

202 Ibid.

203 Interview, Omar Gassama, National Youth Council and member of the Interim Standing Committee of ECOSOCC, Banjul, the Gambia, 24 July 2006.

204 Interview, Ousmane Yabo, the Association of NGOs, Johannesburg, South Africa, 25 June 2006.

205 Interviews, Alice Mogwe, Ditshwanelo, Gaborone, Botswana, 26 September 2006; Babolokile Tlale, Botswana Council of
Non-governmental Organisations, 28 September 2006.

Interview with officials, Africa Affairs, General Directorate, Ministry of Foreign Affairs, Addis Ababa, Ethiopia, 12 April 2006.


In Geneva, the International Service for Human Rights plays such a role in relation to the UN structures there. There have been discussions among some funders, including the Open Society Institute and Trust Africa, about the possibility of supporting a similar institution in Addis Ababa.

http://www.africa-union.org/.

http://www.nepad.org/.


Interview with official, AU and Africa Directorate, Nairobi, Kenya, 18 April 2006.


Interview with officials, Africa Affairs, General Directorate, Ministry of Foreign Affairs, Addis Ababa, Ethiopia, 12 April 2006.


Interview, Helder Malauene, Foundation for Community Development and ECOSOCC Interim Standing Committee member, Maputo, Mozambique, 11 October 2006; Email communication from Viriato Teotônio e. Tamele, Economic Justice Coalition, Maputo, January 2007.

Interviews, Gillian Ayong, Action Support Centre, Johannesburg, South Africa, 25 August 2006; Ousmane Yabo, the Association for NGOs, Banjul, the Gambia, 25 June 2006; inputs at consultative meeting, Addis Ababa, 10–11 November 2006.

Interviews, Gillian Ayong, Action Support Centre, Johannesburg, South Africa, 25 August 2006; Ousmane Yabo, the Association for NGOs, Banjul, the Gambia, 25 June 2006; inputs at consultative meeting, Addis Ababa, 10–11 November 2006.

Inputs at consultative meeting, Addis Ababa, 10–11 November 2006.

Inputs at consultative meeting, Addis Ababa, 10–11 November 2006.

Criteria for granting observer status and for a system of accreditation within the AU, EX/CL/195(VII). The document also sets out rules for non-African states and organisations to be accredited with the AU.

The meeting was organised by a coalition led by CREDO (the Centre for Research Education and Development of Rights in Africa) and hosted by FEMNET. The aim of the meeting was ‘to develop an effective demand and partnership platform for African CSOs in the African Union and other inter-governmental processes affecting the continent’. Concept Paper for an Independent African Civil Society Consultation, 2005; interview, Rotimi Sankore, CREDO, 29 November 2006. See also, Wangui Kanina, ‘African Union help sought to try former Chad ruler’, Reuters, 16 January 2006.


Interview, Ousmane Yabo, the Association for NGOs, Banjul, the Gambia, 25 June 2006.

Interview, Helder Malauene, Foundation for Community Development and ECOSOCC Interim Standing Committee member, Maputo, Mozambique, 11 October 2006; Email communication from Viriato Teotônio e. Tamele, Economic Justice Coalition, Maputo, January 2007.

Interviews, Gillian Ayong, Action Support Centre, Johannesburg, South Africa, 25 August 2006; Ousmane Yabo, the Association for NGOs, Banjul, the Gambia, 25 June 2006; inputs at consultative meeting, Addis Ababa, 10–11 November 2006.

Inputs at consultative meeting, Addis Ababa, 10–11 November 2006.


Declaration on Unconstitutional Changes of Governance in Africa, Doc. EX.CL/238(IX), 2000.


Inputs at consultative meeting, Addis Ababa, 10–11 November 2006.

See http://www.hrw.orgjustice/habre/ for background on the case.

Official statement by the Ministry of Foreign Affairs of Senegal, 27 November 2005.


Interview, 30 December 2005.

Decision on the Hissène Habré case, Assembly/AU/Dec.103(VI)

Rapport du Comité d’éménents juristes africains sur l’affaire Hissène Habré. Undated, unreferenced document by the African Union. The committee’s members were: Judge Gibril Camara, Senegal; President Delphine Emmanuel née Adouki, Congo Brazzaville; Professor Ayodele Ajomo, Nigeria; Adv. Robert Dossou, Benin; Judge Joseph Warioba, Tanzania; Adv. Anil Kumarsingh Gayan, Mauritius; and Professor Henrietta Mensa-Bonsu, Ghana.


Constitutive Act, Article 4(b). The Committee further stipulated that ‘its task was to help establish a mechanism to fight against impunity, specifically in the African framework’. See Rapport du Comité d’éménents juristes africains sur l’affaire Hissène Habré.
See Article 6, Paragraph 4 of the Constitutive Act of the African Union. In Article 5 of the Protocol on Amendments to the Constitutive Act of the African Union (not yet in force), it is specified that the election takes place during an ordinary session of the Union, that the choice is made on a rotating basis and that the mandate is renewable.

See Article 15, Paragraph 2 of the Rules of Procedure of the Assembly of the African Union. However, where the January summit is exceptionally convened outside Addis Ababa (as in January 2006), the hosting of that session is not linked to the presidency of the Union. Decision on the Framework for the Organisation of Future Summits, Assembly/AU/Dec.63(V).

Assembly/AU/Dec.54(III).

Assembly/AU/Dec.53(III).

Paragraph 6 of the Decision in Assembly/AU/Dec.63(IV).


SADC Extra-ordinary summit meeting record, 23 October 2006, Midrand, South Africa.

See Decision on the report of the Chairperson on the Strengthening of the Commission, EX.CL/DEC.341 (IX) which recommends the convening of an extraordinary session of the Executive Council to consult further on the contents of the AU Commission chairperson’s report on strengthening the AU Commission.

Accra Declaration, Assembly of the Union at its 9th Ordinary session in Accra, Ghana, 1–3 July 2007. At the 10th Extra-ordinary session of the Executive Council of the African Union in South Africa, 10 May, foreign ministers had also agreed to conduct an audit of the AU Commission and the organs of the AU.
The members of the panel are: Prof. Adebayo Adeaideji (Chair); Dr Fatima Zohra Karadjaa (Algeria); Dr Frene Ginwala (South Africa); Amb. Vijay Makhan (Mauritius); Mr Akere Tabeng Muna (Cameroon); Dr Makha Dado Sarr (Senegal); Mr Fahrat Bengdara (Libya); Ms Julienne Onsdziel-Gnelenga (Congo); Amb. Netumbo Nandi-Ndaitwah (Namibia); Amb. Nana Afia Apenteng (Ghana); Hakim Ben Hammouda (UN Economic Commission on Africa); Prof. Abdala Bujra (Kenya); and Prof. Adebayo Olukoshi (CODESRIA).

Terms of reference of the Audit Review Panel, EX.CL/328(X) Annex IV.

Decision on the Ministerial Committee on Elections of the Members of the Commission, EX.CL/291(IX).


Assembly/AU/Dec.168(IX)

The first three functions assigned to the Commission are (a) represent the Union and defend its interests under the guidance of and as mandated by the Assembly and the Executive Council; (b) initiate proposals for consideration by other organs; (c) implement the decisions taken by other organs. Article 3, Statutes of the Commission of the African Union, ASS/AU/2(I)d, 2002.


According to Article 12 of the ECOSOCC statutes, the Credentials Committee comprises the following: one CSO representative from each of the five regions in Africa, one CSO representative from the Diaspora; one nominated representative for special interest groups such as vulnerable groups; and two representatives of the Commission.


According to a note circulated by the ECOSOCC Secretariat on 7 August 2007, the countries from which no nominations were received were: Angola, Benin, Botswana, Burundi, Cape Verde, Central African Republic, Chad, the Comoros, Congo, Djibouti, Eritrea, Equatorial Guinea, the Gambia, Guinea, Guinea Bissau, Lesotho, Liberia, Libya, Mali, Mauritania, Mozambique, Namibia, Saharawi Republic, Sao Tomé and Principe, Senegal, the Seychelles, Sierra Leone, Somalia, Swaziland, Rwanda, Tanzania, Togo and Zimbabwe.


Ibid.

The organisations were: Pan African Women’s Organisation (Angola); African Women’s Development Communication Network (FEMNET, Kenya); Pan African Lawyers Union (PALU, Cameroon); Femmes Afrique Solidarité (FAS, Sénégal); Organisation of African Trade Union Unity (OATUU, Ghana); Pan-African Employers’ Confederation (Kenya); Network of African Peace Builders (NAPS, Zambia); Africa Internally Displaced Persons Voice-Africa (IDP Voice, Zambia).


This clause was introduced at the insistence of Permanent Representatives during the approval of the ECOSOCC Statutes. If this criterion were applied to the AU Commission, a number of directorates and departments, including CIDO, would not be eligible to participate in AU affairs.