

AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

UNIÃO AFRICANA

Addis Ababa, ETHIOPIA P. O. Box 3243 Telephone 517 700 Cables: OAU, ADDIS ABABA

ASSEMBLY OF THE AFRICAN UNION

Second Ordinary Session

10 - 12 July 2003

Maputo, MOZAMBIQUE

Assembly/AU/Dec.6 – 32 (II)

Assembly/AU/Decl.4- 11 (II)

DECISIONS AND DECLARATIONS

TABLE OF CONTENTS

<u>NO.</u>	<u>DECISION NO.</u>	<u>TITLE</u>	<u>PAGES</u>
1	Assembly/AU/Dec.6 (II)	Decision on Madagascar	1
2	Assembly/AU/Dec.7 (II)	Decision on the Budget for the period January August 2003 and the Budget for the period September – December 2003	1
3	Assembly/AU/Dec.8 (II)	Decision on the Programme-Budget for the Financial Year 2004	1
4	Assembly/AU/Dec.9 (II)	Decision on the revised 1968 African Convention (Algiers Convention) on the Conservation of Nature and Natural Resources – Doc. EX/CL/50 (III)-	1
5	Assembly/AU/Dec.10 (II)	Decision on the Action Plan of the Environment Initiative of NEPAD - Doc. Assembly/ AU/8(II) Add.3	2
6	Assembly/AU/Dec.11 (II)	Decision on the 16 th Annual Activity Report of the African Commission on Human and Peoples' Rights - Doc. Assembly/AU/7 (II)	1
7	Assembly/AU/Dec.12 (II)	Decision on the Proclamation of the 2004 “International Year for Physical Education and Sports in the Service of Development and Peace” – Doc. Assembly/AU/8(II) Add. 7	1
8	Assembly/AU/Dec.13 (II)	Decision on the African Defence and Security Policy – Doc. Assembly/AU/6 (II)	1
9	Assembly/AU/Dec.14 (II)	Decision on the Elaboration of a Code of Conduct on Terrorism - Doc. -Assembly/ AU/8(II) Add. 11	2
10	Assembly/AU/Dec.15 (II)	Decision on Terrorism in Africa	1
11	Assembly/AU/Dec.16 (II)	Decision on the Operationalization of the Protocol Relating to the Establishment of the Peace and Security Council	2

12	Assembly/AU/Dec.17 (II)	Decision on the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament	1
13	Assembly/AU/Dec.18 (II)	Decision on the Report of the Interim Chairperson on the Conference on Elections, Democracy and Good Governance	1
14	Assembly/AU/Dec.19 (II)	Decision on the Draft Protocol to the African Charter on Human and Peoples' Rights Relating to the Rights of Women	1
15	Assembly/AU/Dec.20 (II)	Decision on the Extraordinary Session of the Assembly of the African Union on Employment and Poverty Alleviation in Africa - Doc. Assembly/AU/8(II) Add. 1	1
16	Assembly/AU/Dec.21 (II)	Decision on the Establishment by the European Union of a Peace Support Operation Facility for the African Union	2
17	Assembly/AU/Dec.22 (II)	Decision on the Implementation of the Durban Decision on the Interim Period	1
18	Assembly/AU/Dec.23 (II)	Decision on the Appointment of Members of the African Commission on Human and Peoples' Rights - Doc. EX/CL/57 (III)	1
19	Assembly AU/Dec.24 (II)	Decision on the Appointment of Members of the African Committee of Experts on the Rights and Welfare of the Child - Doc./EX/CL/58 (III)	1
20	Assembly/AU/Dec.25 (II)	Decision on the Draft Protocol of the Court of Justice of the African Union - Doc.EX/CL/59 (III)	1
21	Assembly/AU/Dec.26 (II)	Decision on the Amendments to the Constitutive Act - Doc. Assembly/AU/8(II) Add. 10	1
22	Assembly/AU/Dec.27 (II)	Decision on the Draft Convention on the Prevention and Combating of Corruption	1
23	Assembly/AU/Dec.28 (II)	Decision on Appointment of AU Commissioners	1

24	Assembly/AU/Dec.29 (II)	Decision on Promoting the Development of sustainable Cities and Towns in Africa	1
25	Assembly/AU/Dec.30 (II)	Decision on the Establishment of a “Council on the Future of the Union” -Doc. Assembly/AU/8(II) Add.2	1
26.	Assembly/AU/Dec.31 (II)	Decision on the Review of the Scale of Assessment of the African Union Doc – Ex/Cl/40 (II)	1
27	Assembly/AU/Dec.32 (II)	Decision on the 9 September as the Day of African Union	1

DECLARATIONS

1	Assembly/AU/Decl.4(II)	Declaration of the Heads of State and Government of the African Union on the Fifth WTO Ministerial Conference	2
2	Assembly/AU/Decl.5 (II)	Declaration of the Heads of State and Government of the African Union on the EPA Negotiations	2
3	Assembly/AU/Decl.6 (II)	Maputo Declaration on Malaria, HIV/AIDS, Tuberculosis and Other Related Infectious Diseases (ORID)	3
4	Assembly/AU/Decl.7 (II)	Declaration on Agriculture and Food Security in Africa	2
5	Assembly/AU/Decl.8 (II)	Declaration on the Implementation of the New Partnership for Africa’s Development (NEPAD)	4
6.	Assembly/AU/Decl.9 (II)	Special Commendation To H.E. Dr. Jacques Diouf Director- General Of The Food And Agriculture Organization Of The United Nations	1
7.	Assembly/AU/Decl.10 (II)	Motion of Thanks to H.E. Joaquim Chissano, President of The Republic Of Mozambique	1
8.	Assembly/AU/Decl.11 (II)	Special Vote of Thanks of the Assembly of the African Union to H.E. Amara Essy, Interim Chairperson Of The Commission	1

DECISION ON MADAGASCAR

The Assembly:

1. **RECALLS** the Decision of the Central Organ meeting at its Ordinary Session at the level of Heads of State and Government, in Addis Ababa on 3 February 2003, recommending the recognition of Mr. Marc Ravalomanana as the legitimate President of Madagascar;
2. **ENDORSES** this recommendation and **DECIDES** that Madagascar should resume its seat within the African Union;
3. **ENCOURAGES** the Government of Madagascar to continue its policy of national reconciliation.

**DECISION ON THE BUDGET FOR THE PERIOD
JANUARY - AUGUST 2003 AND THE BUDGET FOR
THE PERIOD SEPTEMBER - DECEMBER 2003**

The Assembly:

1. **TAKES NOTE** of the recommendations of the Executive Council;
2. **APPROVES** the budget for the period January – August 2003 fixed at US\$22,600,000.00;
3. **APPROVES** the budget for the period September – December 2003 fixed at US\$13,000,000.00.

DECISION ON THE PROGRAMME-BUDGET
FOR THE YEAR 2004
Doc.EX/CL/26 (III) Rev.1

The Assembly:

1. **TAKES NOTE** of the Report;
2. **APPROVES** the Programme-Budget for the Financial Year 2004 (January to December 2004) fixed at US\$43,000,000.00;
3. **AUTHORIZES** the Chairperson, the Deputy Chairperson and the Commissioners, who have just been elected, to readjust the Programme-Budget for the Financial Year 2004 within the limits of 43 million US Dollars in order to include their priorities in terms of human resources and programmes;
4. **AUTHORIZES** the Executive Council to approve, on behalf of the Assembly, the Programme-Budget thus readjusted, at its Fourth Ordinary Session to be held in February/March 2004.

DECISION ON OF THE REVISED 1968 AFRICAN CONVENTION (ALGIERS CONVENTION)
ON THE CONSERVATION OF NATURE AND NATURAL RESOURCES
Doc. EX/CL/50 (III)

The Assembly:

1. **COMMENDS** the Interim Chairperson of the Commission, the United Nations Environment Programme (UNEP) and the International Union for the Conservation of Nature and Natural Resources (IUCN) for their endeavour to update the 1968 African Convention on the Conservation of Nature and Natural Resources (Algiers Convention) to take into account recent developments in the African environment and natural resources scenes, while bringing the Convention to the level and standard of current multilateral environmental agreements;
2. **FURTHER COMMENDS** the Governments of Algeria, Burkina Faso, Cameroon and Nigeria, Parties to the 1968 African Convention on the Conservation of Nature and Natural Resources, (Algiers Convention) for their initiative to bring about the revision of the Convention;
3. **APPROVES** the revised 1968 African Convention on the Conservation of Nature and Natural Resources (Algiers Convention);
4. **CALLS UPON** all Member States to sign and ratify the revised Convention in order to bring it into force as early as possible;
5. **FURTHER CALLS UPON** the Chairperson of the Commission to take all necessary measures to ensure that the revised Convention is sufficiently popularized to facilitate its implementation;
6. **URGES** the United Nations Environment Programme, relevant agencies of the United Nations system, the International Union for the Conservation of Nature and Natural Resources and other relevant international Non-Governmental Organizations to collaborate with the Commission and Member States of the African Union to ensure the effective implementation of the Convention.

**DECISION ON THE ACTION PLAN OF THE
ENVIRONMENT INITIATIVE OF THE NEW PARTNERSHIP FOR AFRICA'S DEVELOPMENT
(NEPAD)
- Doc. Assembly/AU/8(II) Add. 3**

The Assembly:

Concerned about the rapid degrading of the African environment as a result of adverse global changes;

Recalling the environmental aspects of the Millennium Declaration adopted by the United Nations General Assembly in September 2000,

Recalling the adoption of the New Partnership for Africa's Development (NEPAD) as a programme of the African Union (AU) by the African Heads of State and Government in Lusaka, Zambia, in July 2001,

Recalling the relevant decision on the New Partnership for Africa's Development Programme (NEPAD) by the Group of the Eight major industrialized countries (G8) and other partners,

Recalling the Plan of Implementation adopted by the World Summit on Sustainable Development, held in Johannesburg, from 26 August to 4 September 2002 and its chapter 8 on sustainable development for Africa,

Considering the United Nations Declaration on the New Partnership for Africa's Development adopted on 16 September 2002 by the General Assembly, at a high-level plenary meeting,

Considering the results of the Conference on the Role of the Private Sector in Financing the New Partnership for Africa's Development held in Dakar in April 2003,

Considering the decision of the Second Special Session of the African Ministerial Conference on the Environment held in Maputo from 9 to 10 June 2003 to forward the Action Plan of the Environment Initiative of NEPAD for consideration by the second ordinary session of the Assembly of the African Union and the third ordinary session of the African Union Executive Council to be held in Maputo, Mozambique from 4 to 12 July 2003:

1. **NOTES** the outcome of the Second Special Session of the African Ministerial Conference on the Environment held in Maputo, Mozambique from 9 to 10 June 2003 which adopted the Action Plan of the Environment Initiative of the New Partnership for Africa's Development;
2. **APPRECIATES** the support extended by partners, particularly the United Nations Environment Programme and the Global Environment Facility in the development of the Action Plan of the Environment Initiative of the New Partnership for Africa's Development;
3. **ENDORSES** the Action Plan of the Environment Initiative of the New Partnership for Africa's Development;
4. **INVITES** the Commission of the African Union, the NEPAD Secretariat, the UNEP and other partners to pursue their co-operation in order to give effective support to all Member States and the RECs in the implementation of the NEPAD Environmental Action Plan;

5. **ALSO INVITES** bilateral and multilateral partners to actively participate in the donors conference on the Action Plan of the Environment Initiative of the New Partnership for Africa's Development to be held in Algiers, in December 2003;
6. **FURTHER INVITES** the African Ministerial Conference on Environment and the Secretariat of the New Partnership for Africa's Development in collaboration with the Global Environment Facility, the development banks including the African Development Bank, the United Nations Environment Programme, to play a leading role in mobilizing additional financial resources for the implementation of the Action Plan of the Environment Initiative of the New Partnership for Africa's Development and its associated projects.

**DECISION ON THE 16TH ANNUAL ACTIVITY REPORT OF THE
AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS**
Doc. Assembly/AU/7 (II)

The Assembly:

1. **ADOPTS** the 16th Annual Activity Report of the African Commission on Human and Peoples' Rights (ACHPR) and commends it for the excellent work accomplished during the past year;
2. **REQUESTS** all the organs concerned to take the necessary measures to provide, pursuant to Article 41 of the African Charter on Human and Peoples' Rights, the requisite human, financial, and material resources for its smooth functioning and submit a report thereon to the 3rd Session;
3. **REQUESTS** the ACHPR, to continue, in concert with the Commission of the African Union, to enhance interaction and coordination with the different organs of the African Union in order to strengthen the African Mechanism for the Promotion and Protection of Human and Peoples' Rights and report to Council at its next session;
4. **AUTHORIZES** the publication of the 16th Annual Activity Report of the African Commission on Human and Peoples' Rights pursuant to Article 59 of the African Charter on Human and Peoples' Rights;
5. **MANDATES** the Executive Council to consider the Annual Activity Report of the African Commission on Human and Peoples' Rights and to submit a report to it.

**DECISION ON THE PROCLAMATION OF THE 2004 “INTERNATIONAL YEAR FOR
PHYSICAL EDUCATION AND SPORTS IN THE SERVICE OF DEVELOPMENT AND PEACE”**
Doc. Assembly/AU/8(II) Add. 7

The Assembly:

1. **WELCOMES** the initiative of the Republic of Tunisia aimed at proclaiming 2004 the “International Year for Physical Education and Sports in the Service of Development and Peace”;
2. **UNDERScores** the fact that physical education and sports are two crucial factors in promoting peace and development and facilitating the fight against social inequalities and fostering dialogue and interaction;
3. **REAFFIRMS** the importance of physical education and sports as factors of physical and mental well-being and social promotion;
4. **DECIDES** to support the Draft Resolution entitled “International Year for Physical Education and Sports in the Service of Development and Peace: 2004”, which will be submitted for adoption both by the 32nd UNESCO General Assembly (29 September – 17 October 2003) and the 58th Session of the United Nations General Assembly (September – November 2003);
5. **REQUESTS** all Member States to support this draft Resolution.

DECISION ON THE AFRICAN DEFENCE AND SECURITY POLICY
Doc.Assembly/AU/6 (II)

The Assembly:

1. **COMMENDS** the efforts deployed by the Outgoing Chairperson of the Union, President Thabo Mbeki of South Africa, to implement the Durban Decision on the establishment of the Common African Defence and Security Policy; and the document prepared towards that end, namely the Draft Framework for a Common African Defence and Security Policy;
2. **TAKES NOTE** of the said Draft Framework, as reviewed by the 3rd Extraordinary Session of the Executive Council held in Sun City, South Africa, from 21 to 24 May 2003;
3. **TAKES NOTE FURTHER**, of the comments made by Heads of State and Government during the debate, which constituted contributions to the on-going discussion of the matter;
4. **REQUESTS** the Commission to conduct further consultations with all stakeholders including Ministers responsible for Defence and Security and Legal Experts with the view to finalizing the Common African Defence and Security Policy in time for consideration by the next Session of the Assembly; or at an Extraordinary Session of the Assembly to be convened by the Current Chairperson if deemed necessary.

DECISION ON THE ELABORATION OF A CODE OF CONDUCT ON TERRORISM
Doc. Assembly/AU/8(II) Add. 11

The Assembly:

1. **WELCOMES** the proposal of H.E. Zine El Abidine BEN ALI, President of the Republic of Tunisia, calling for an International conference to draw up a Code of Conduct on Counter Terrorism;
2. **WELCOMES ALSO** the continuous efforts made by the African Union to combat terrorism and **REAFFIRMS** the commitment made by AU in this field, in accordance with the relevant provisions of the Code of Conduct on Inter-African Relations adopted by the OAU Summit held in Tunis in June 1994, the 1999 Algiers Convention on the Prevention and Combating of Terrorism and the Dakar Declaration of October 2001;
3. **UNDERScores** the urgency of a concerted common action by the international community in pursuance of the fight against terrorism based on a global approach to peace to address the root causes of the new challenges to the security of States and individuals,
4. **CONSIDERS** that today it is imperative to establish a Code of Conduct geared towards combating terrorism and promoting humanitarian and moral values based on solidarity, tolerance and the rejection of any form of discrimination, injustice, extremism and hatred as well as fostering mutual respect for the sovereignty of States,
5. **RECOGNIZES** that the importance of such a Code should facilitate and promote negotiations on the drafting of a Global Convention on Terrorism, given the voluntary accession by all Member States which would make it possible to identify areas of convergence,
6. **RECALLS** paragraph 112 of the Final Declaration of the 13th Summit of Non-Aligned Countries held in Kuala Lumpur, backing Tunisia's proposal to draft under the auspices of the United Nations, a Counter Terrorism Code of Conduct,
7. **APPEALS** to all Member States of the United Nations and international organizations to support this initiative and possibly contribute to its concretization when it is tabled before the United Nations General Assembly.

DECISION ON TERRORISM IN AFRICA

The Assembly:

1. **EXPRESSES CONCERN** over the increasing threat posed by international terrorism, in particular the expanding terrorist networks and the impact of such activities on the security situation and the socio-economic development of the Continent;
2. **WELCOMES** the entry into force, on 6 December 2002, of the Algiers 1999 Convention on the Prevention and Combating of Terrorism and **URGES** all Member States that have not yet done so to become parties to the Convention as a matter of priority;
3. **ENDORSES** the Plan of Action and the recommendations of the Inter-Governmental High Level Meeting on the Prevention and Combating of Terrorism in Africa, held in Algiers, from 11 – 14 September 2002;
4. **REQUESTS** the Commission to take the steps required for the implementation of the Plan of Action and, in this regard, **TAKES NOTE** of the initial steps taken, in conjunction with the Government of Algeria, on the establishment of the African Centre for the Study and Research on Terrorism;
5. **FURTHER REQUESTS** the Commission, in consultation with Member States, to finalize the Draft Protocol to the Algiers Convention for submission to the next Session of the Assembly.

**DECISION ON THE OPERATIONALIZATION OF THE PROTOCOL RELATING TO THE
ESTABLISHMENT OF THE PEACE AND SECURITY COUNCIL**

The Assembly:

1. **UNDERScores** the urgency of the entry into force of the Protocol relating to the Establishment of the Peace and Security Council of the African Union and the importance it attaches to the establishment of this key organ as a body responsible for conflict prevention, management and resolution;
2. **COMMENDS** Member States that have already deposited their instruments of ratification of the Protocol, namely: South Africa, Algeria, Ethiopia, Equatorial Guinea, Mali, Mozambique, Libya, Lesotho, Malawi, Mauritius, Sierra Leone, Zambia, Ghana, The Sudan and Rwanda, and **WELCOMES** the announcement by some other Member States indicating that they have already ratified the Protocol and are preparing to deposit their instruments of ratification;
3. **URGES** all the countries that have not yet done so, to speed up the process of signing and ratifying the Protocol;
4. **COMMENDS** the Commission for its initiatives to facilitate the operationalization of the Protocol once it has entered into force, particularly with regard to the preparation of the Rules of Procedure of the Peace and Security Council and the document on the operational modalities of the Panel of the Wise, as well as the establishment of the African Standby Force and the Military Staff Committee.
5. **TAKES NOTE** of the framework document for the establishment of the African Standby Force and the Military Staff Committee adopted by the Third Session of African Chiefs of Defense Staff held in Addis Ababa, Ethiopia, on 15 -16 May 2003;
6. **REQUESTS** the Commission to convene a meeting of continental experts to consider the Rules and Procedure of the Peace and Security Council and the Modalities of Operation of the Panel of the Wise in order to make recommendations to the Executive Council in March 2004;
7. **INVITES** the Commission to continue initiatives already begun on these different issues and take the necessary steps to prepare a Memorandum of Understanding on the relations between the AU and the Regional Conflict Prevention, Management and Resolution Mechanisms and the establishment of the Early Warning System provided for under the Protocol;
8. Pursuant to Article 9 (2) of the Constitutive Act of the African Union and in the event where the Protocol relating to the Establishment of the Peace and Security Council enters into force before its next session, **AUTHORIZES** the Executive Council to take the necessary measures for the operationalization of the said Protocol, including the election of members of the Peace and Security Council and the adoption of the Rules of Procedure of the organ.

**DECISION ON THE PROTOCOL TO THE TREATY ESTABLISHING THE AFRICAN
ECONOMIC COMMUNITY RELATING TO THE PAN-AFRICAN PARLIAMENT**

The Assembly:

1. **NOTES WITH APPRECIATION** the conclusions of the meeting of African Parliaments held in Cape Town, South Africa from 30 June to 1 July 2003 and **ENCOURAGES** the Steering Committee set up in pursuance of the Decision taken by the Assembly in Durban, South Africa in July 2002, to pursue its endeavours aimed at speeding up the process of ratification of the Protocol by Member States;
2. **UNDERScores** the urgency of the entry into force of the Protocol to the Treaty establishing the African Economic Community relating to the Pan-African Parliament and the importance of setting up this organ which will ensure the effective and full participation of African peoples in the development and integration of the Continent;
3. **COMMENDS** Member States which have already deposited the instruments of ratification of the Protocol;
4. **URGES** all countries which have not already done so, to speed up the process of signing and ratifying the Protocol by 31 December 2003 if possible to enable the Protocol to enter into force, and the Parliament to meet before January 31st 2004;
5. **REQUESTS** the Commission to pursue the efforts already initiated to obtain very rapidly the requisite number of ratifications for the entry into force of the Protocol, thereby making this instrument operational;
6. **NOTES** that the Protocol will come into force 30 days after the deposit of the instruments of ratification by a simple majority of the Member States;
7. **MANDATES** the Chairperson of the Union, in consultation with the Commission, to determine the beginning of the first term of office of the Pan-African Parliament in terms of Article 5 (2) of the Protocol as soon as the Protocol comes into force.

**DECISION ON THE REPORT OF THE INTERIM CHAIRPERSON ON THE CONFERENCE
ON ELECTIONS, DEMOCRACY AND GOOD GOVERNANCE
DOC. EX/CL/35 (III)**

The Assembly:

1. **TAKES NOTE** of the Report of the Conference;
2. **COMMENDS** the Government of South Africa for hosting the Conference;
3. **WELCOMES** the Communiqué of the Conference on Elections, Democracy and Good Governance held in Pretoria, South Africa, from 7 – 10 April 2003;
4. **UNDERScores** the importance and role of democracy and good governance in economic and social development and **REAFFIRMS** the commitments of the Union in this respect;
5. **DIRECTS** the Commission to transmit to Member States the Communiqué and the other conclusions of the Pretoria Conference for consideration and comments.
6. **ENCOURAGES** Member States to study and implement the provision of the Communiqué and Conclusion of the Conference.

**DECISION ON THE DRAFT PROTOCOL TO THE AFRICAN CHARTER ON HUMAN AND
PEOPLES' RIGHTS RELATING TO THE RIGHTS OF WOMEN**

The Assembly:

1. **TAKES NOTE** of the recommendations of the Executive Council;
2. **ADOPTS** the Protocol to the African Charter on Human and Peoples' Rights relating to the Rights of Women;
3. **APPEALS** to all Member States to sign and ratify this important instrument in order to ensure its speedy entry into force.

**DECISION ON THE EXTRAORDINARY SESSION OF THE ASSEMBLY OF THE
AFRICAN UNION ON EMPLOYMENT AND POVERTY ALLEVIATION IN AFRICA**
- Doc. Assembly/AU/8(II) Add. 1

The Assembly:

1. **WELCOMES** the offer of President Blaise COMPAORE of Burkina Faso to host an Extraordinary Summit on Employment and Poverty Alleviation in Africa;
2. **DECIDES** to convene this Extraordinary Summit in the year 2004 and **INVITES** all Member States to participate actively in the Summit;
3. **REQUESTS** the AU Commission to make the necessary arrangements, in collaboration with the Regional Economic Communities (RECs), the ILO and other partners and stakeholders to convene the Extraordinary Summit on Employment and Poverty Alleviation in Africa

**DECISION ON THE ESTABLISHMENT BY THE EUROPEAN UNION OF A PEACE
SUPPORT OPERATION FACILITY FOR THE AFRICAN UNION**

The Assembly:

1. **RECALLS** its Durban Decision of July 2002 on the Protocol relating to the establishment of the Peace and Security Council of the African Union (AU) and the on-going efforts for its early entry into force and operationalization, as well as the active involvement of the AU in the search for lasting solutions to the various conflicts facing the Continent;
2. **ACKNOWLEDGES** that the proliferation of conflicts in Africa and associated violence constitute a major impediment in the attainment of sustainable development and growth, as well as the efforts towards poverty reduction. In particular, the Assembly **UNDERLINES** that the persistence of conflicts and the lack of resources to implement African initiatives prevent the Continent from taking full advantage of development cooperation, particularly the assistance offered by its development partners;
3. **EXPRESSES ITS DETERMINATION** to address the scourge of conflicts in Africa in a collective, comprehensive and decisive manner, within the framework of the AU and its relevant Organs, and with the full support of the wider international community;
4. **WELCOMES** the dynamic and reinforcing partnership that is developing between the AU and the European Union (EU) in promoting peace, security and stability in Africa, as a crucial area of cooperation and dialogue, and **EXPRESSES** its profound gratitude to the EU for the assistance rendered so far to the AU, especially in support of its peace and security agenda;
5. **REQUESTS** the EU to examine the possibility of setting up a Peace Support Operation Facility (PSOF), to fund peace support and peace keeping operations conducted under the authority of the AU, thereby enhancing the capacity of the Union to fully play its role in the promotion of peace, security and stability in Africa. Such a Facility should be based on the principle of solidarity among African countries and should be financed from resources allocated to each of them under the existing cooperation agreements with the EU, initially supplemented by an equivalent amount of unallocated European Development Fund (EDF) resources;
6. **FURTHER REQUESTS** the AU Commission to liaise with the EU Commission to work out the modalities and functioning of such Facility which should be sustainable and replenished whenever necessary.

DECISION ON THE IMPLEMENTATION OF THE DURBAN DECISION
ON THE INTERIM PERIOD

The Assembly:

1. **TAKES NOTE** of the various Reports of the Interim Chairperson of the Commission on the implementation of the Durban Decision on the Interim Period;
2. **ALSO TAKES NOTE** of Decision No. Ext.EX/CL/Dec.5 (III) of the 3rd Extraordinary Session of the Executive Council held in Sun City and Decision No.EX/CL/Dec.34(III), on the Structure and Conditions of Service of the Staff of the Commission taken by the 3rd Ordinary Session of the Executive Council in Maputo, Mozambique;
3. **COMMENDS** the Interim Chairperson, the Interim Commissioners and the entire staff of the Commission for the excellent results achieved in the implementation of the Durban Decision;
4. **APPROVES** the Structure and Conditions of Service of Staff and all the related Executive Council recommendations as contained in the above Decisions;
5. **REQUESTS** the Chairperson of the Commission, in collaboration with Member States, to take all appropriate measures to implement the said Decisions.

**DECISION ON THE APPOINTMENT OF MEMBERS OF THE AFRICAN COMMISSION
ON HUMAN AND PEOPLES' RIGHTS
Dec.EX/CL/57 (III)**

The Assembly:

1. **TAKES NOTE** of the election by the Executive Council of members of the African Commission on Human and Peoples' Rights;
2. **APPOINTS** the following persons as members of the African Commission on Human and Peoples' Rights:
 - a. Ms. Sanji MONAGENG (Botswana)
 - b. Mr. Mohamed Abdellahi Ould BABANA (Mauritania)
 - c. Mr. Bahame Tom Mukirya NYANDUGA (Tanzania)
3. **CONGRATULATES** the newly elected members of the Commission;
4. **ENCOURAGES** the African Commission on Human and Peoples' Rights to spare no effort in pursuing its mandate in the promotion and protection of human rights in Africa.

**DECISION ON THE APPOINTMENT OF MEMBERS OF THE AFRICAN COMMITTEE OF
EXPERTS ON THE RIGHTS AND WELFARE OF THE CHILD
DOC.EX/CL/58 (III)**

The Assembly:

1. **TAKES NOTE** of the election by the Executive Council of members of the African Committee of Experts on the Rights and Welfare of the Child;
2. **APPOINTS** the following persons as members of the African Committee of Experts on the Rights and Welfare of the Child:
 - a. Prof Peter Onyekwere EBIGBO (Nigeria)
 - b. Dr Asseffa BEQUELE (Ethiopia)
 - c. Mr. Jean Baptiste ZOUNGRANA (Burkina Faso)
 - d. Ms. Nakpa POLO (Togo)
3. **CONGRATULATES** the newly elected members of the Committee;
4. **ENCOURAGES** the African Committee of Experts on the Rights and Welfare of the Child to spare no effort in pursuing its mandate in the promotion and protection of the rights and welfare of the African Child

**DECISION ON THE DRAFT PROTOCOL OF THE COURT
OF JUSTICE OF THE AFRICAN UNION**
Dec.EX/CL/59 (III)

The Assembly:

1. **TAKES NOTE** of the recommendations of the Executive Council;
2. **ADOPTS** the Protocol of the Court of Justice of the African Union;
3. **APPEALS** to all Member States to sign and ratify this important instrument in order to ensure its speedy entry into force.

DECISION ON THE AMENDMENTS TO THE CONSTITUTIVE ACT
- Doc. Assembly/AU/8(II) Add. 10

The Assembly:

1. **ADOPTS** the Protocol on the amendments to the Constitutive Act;
2. **APPEALS** to all Member States to sign and ratify this important instrument in order to ensure its speedy entry into force.

DECISION ON THE DRAFT CONVENTION
ON THE PREVENTION AND COMBATING OF CORRUPTION

The Assembly:

1. **TAKES NOTE** of the recommendations of the Executive Council;
2. **ADOPTS** the Convention on the Prevention and Combating of Corruption;
3. **APPEALS** to all Member States to sign and ratify this important instrument in order to ensure its speedy entry into force.

**DECISION ON APPOINTMENT OF
AU COMMISSIONERS**

The Assembly:

1. **TAKES NOTE** of the election by the Executive Council of the AU Commissioners;
2. **APPOINTS** the following persons as members of the Commission of the African Union:
 - a) Ambassador Said Djinnit (Algeria) – Peace and Security Portfolio.
 - b) Mrs Julia Dolly JOINER (The Gambia) - Political Affairs Portfolio.
 - c) Mr. Bernard ZOBA (Congo) – Infrastructure and Energy Portfolio.
 - d) Ms Philomena B. GAWANAS (Namibia) – Social Affairs Portfolio.
 - e) Mrs. Saida AGREBI (Tunisia) - Human Resources, Science and Technology Portfolio.
 - f) Ms Elizabeth TANKEU (Cameroon) - Trade and Industry Portfolio.
 - g) Ms. Rosebud KURWIJILA (Tanzania) - Rural Economy and Agriculture Portfolio.
3. **CONGRATULATES** the newly elected Commissioners of the African Union.
4. **DECIDES** that the Commissioner for Economic Affairs Portfolio be elected in February 2004 for male candidates from Southern Region.
5. **AUTHORIZES** the Executive Council to elect and appoint the Commissioner for Economic Affairs Portfolio during its 4th Ordinary Session and to report to the 3rd Ordinary Session of the Assembly.
6. **DECIDES** that the elected Commissioners who did not take the Oath of Office during the Assembly do so before the Chairperson of the Commission.

**DECISION ON PROMOTING THE DEVELOPMENT
OF SUSTAINABLE CITIES AND TOWNS IN AFRICA**

The Assembly:

Aware of the rapid rate of urbanization prevailing on the African continent which is the highest in the world,

Concerned that if left unchecked, rapid urbanization is leading to the urbanization of poverty on the African continent with attendant problems that have condemned the majority of urban dwellers to unemployment, food insecurity, and life under squalid conditions in slums and other unplanned neighborhoods without basic services such as decent housing, water and sanitation, and the high risk this implies to their health and safety,

Recalling the Declaration on Cities and other Human Settlements in the New Millennium, adopted by the 25th Special Session of the General Assembly, for an integrated review and appraisal of the implementation of the Habitat Agenda (Istanbul +5), held in New York, from 5-9 June 2001,

Recalling Further paragraph 18 of the Johannesburg Declaration endorsed by the World Summit on Sustainable Development held in September 2002, in which shelter was placed alongside other priority sectors including water, sanitation, education, health, agriculture and biodiversity (WEHAB),

Determined to reap the potential benefits of cities and towns as centers of economic growth and places of opportunity and prosperity for all African people in the course of economic development and structural transformation:

1. **COMMENDS** the efforts being made by various African governments and their people in overcoming the challenges posed by rapid urbanization;
2. **REQUESTS** the Executive Director of the United Nations Human Settlements Programme (UN-HABITAT) to continue rendering support to the Commission of the African Union in the implementation of the current decision.

DECISION ON THE ESTABLISHMENT OF “A COUNCIL ON THE FUTURE OF THE UNION”
DOC. ASSEMBLY/AU/8 (II) ADD.2

The Assembly:

1. **TAKES NOTE** of the presentation made by President Aboudoulaye WADE of Senegal on the establishment of a “Council on the Future of the Union”;
2. **CONGRATULATES** President Aboudoulaye WADE on this initiative;
3. **APPROVES** the principle of the establishment of such a Council;
4. **MANDATES** the Chairperson of the Commission to work out the modalities for the implementation of this initiative and submit to its next session proposals regarding the status, mandate, functioning and composition of this Council.

DECISION ON THE REVIEW OF THE SCALE OF ASSESSMENT
OF THE AFRICAN UNION
DOC - EX/CL/40 (III)

The Assembly :

1. **TAKES NOTE** of the recommendations of the Executive Council;
2. **ENDORSES** the recommendations of the Executive Council.

DECISION ON THE 9 SEPTEMBER
AS THE DAY OF AFRICAN UNION

The Assembly,

1. **TAKES NOTE** of the proposal of the Leader of the Libyan Revolution Colonel Muamar Khaddafi to consider the 9th of September as the Day of the African Union instead of 2 March;
2. **CONGRATULATES** the Leader of the Libyan Revolution for his proposal;
3. **APPROVES AND DECLARES** the 9th September the Day of the African Union;
4. **CALLS UPON** all Member States to take all necessary measures to commemorate the Day of the African Union on 9th September of every year.

**DECLARATION ON THE FIFTH
WTO MINISTERIAL CONFERENCE**

We, the Heads of State and Government of the African Union meeting in our Second Ordinary Session in Maputo, Mozambique,

Having considered the Report of the Conference of Ministers of Trade of AU Member States held in Mauritius, in June 2003, the Mauritius Ministerial Declaration on the Fifth Ministerial Conference of the WTO and its Annex, the “African Common Position” on the Fifth WTO Ministerial Conference, Cancun, Mexico, 10 to 14 September 2003; as well as the Report of the Third Ordinary Session of the Executive Council on this issue,

Recalling the high expectations raised by the adoption of the Doha Development Agenda (DDA) and its subsequent work programme,

Recognizing the efforts deployed by the Negotiators from our Member States in the various bodies of the WTO,

Noting that the Fifth Ministerial Conference of the WTO is scheduled to take place in Cancun, Mexico, from 10 to 14 September 2003,

Deeply concerned about the general lack of progress in the on-going Round of Multilateral Trade Negotiations, as evidenced by the missed deadlines in respect of key issues of importance to African countries in the negotiations:

1. **ENDORSE** the Mauritius Declaration on the Fifth Ministerial Conference of WTO and its annex: the African Common Position on the WTO issues;
2. **DEPLORE** the lack of substantial progress registered in the negotiations on Agriculture, TRIPS and Public Health, Special and Differential Treatment, and Implementation-Related issues;
3. **STRONGLY URGE** WTO members to fulfil the commitments undertaken in Doha, as contained in the mandate for the agricultural negotiations, including through less than full reciprocity in tariff reduction commitments, having due regard to the principle of special and differential treatment;
4. **EXPRESS** our full solidarity with our Member States that are affected by subsidies on cotton provided by developed countries and strongly support actions initiated by some of them in the WTO to urgently remedy the negative consequences of those subsidies that affect millions of Africa’s farmers;
5. **STRONGLY WELCOME** proposals on preferences as contained in the Harbinson text and **CALL UPON** the WTO Members to address the issue of erosion of preferences;
6. **AFFIRM** that the objectives of the negotiations on non-agricultural market access are to facilitate the development and industrialization processes in our countries; to that end, the modalities for the actual negotiations must reflect these goals appropriately by addressing tariff peaks and tariff escalation, taking fully into account the special needs and interests of developing and least-developed countries;
7. **REITERATE** that our sub-regional and regional integration organizations are pillars of the African Economic Community (AEC), and are essential for the promotion of Africa’s socio-economic development and serve as the dynamic building blocks of our effective integration into the Multilateral Trading System (MTS);
8. **CALL** for development-friendly WTO disciplines, arising from the Doha work programme pertaining to the clarification and improvement of the WTO disciplines applied to regional trade agreements;

9. **EXPRESS GRAVE CONCERN** about the lack of transparency and inclusiveness in the WTO negotiations and decision-making processes. To that end, **CALL** for measures to ensure the effective participation of our countries in the processes leading to the Fifth WTO Ministerial Conference in Cancun and beyond;
10. **REGRET** the deadlock over the issue of granting observer status to the African Union in the WTO and, in this regard, **CALL UPON** all other WTO Member States to support us in effort to secure Observer Status for the African Union.
11. **MANDATE** the Chairperson of the Assembly in consultation with the Commission to set up a negotiating team, having due regard to regional representation and headed by an experienced person; to negotiate on behalf of all Member States the fundamental issues that are being negotiated in the WTO;
12. **CALL ON** the relevant International Civil Society Organizations to provide all necessary support to advocate and promote Africa's concerns to ensure a just and fair global trading system.

**DECLARATION ON THE ECONOMIC PARTNERSHIP
AGREEMENT (EPA) NEGOTIATIONS**

We, the Heads of State and Government of the African Union, meeting in Maputo, Mozambique from 10 to 12 July 2003 in our Second Ordinary Session,

Having considered the Report of the Ministerial Sub-Committee on Trade under the Specialized Technical Committee on Trade, Customs and Immigration; the Mauritius Declaration on Preparations for Economic Partnership Agreement (EPA) Negotiations; and the Report of the Third Ordinary Session of the Executive Council on this issue,

Reaffirming our determination to take up the multifaceted challenges that confront our continent and people in the light of the social, economic and political changes taking place in the world,

Determined to promote and defend African common positions on issues of interest to our continent and peoples,

Concerned over the slow evolution of Phase I of the EPA negotiations and the persistent divergence of views between the EU and ACP in the context of and the preparations underway for the commencement of Phase II of the negotiations which is scheduled for September 2003,

Noting that some Regional Economic Communities have indicated to the European Union their readiness to negotiate the EPAs, as from September 2003,

Aware of the various activities undertaken by some of the Member States within the context of the Regional Economic Communities in preparation for the Phase II of the negotiations:

1. **REAFFIRM** the negotiating Guidelines of the ACP and the need to preserve the unity and solidarity of the Group;
2. **ENDORSE** the Mauritius Declaration on Preparations for EPA negotiations and the report of the Third Ordinary Session of the Executive Council on this issue;
3. **REGRET** the deadlock and lack of progress registered in Phase I of the EPA negotiations and **URGE** quickening of the pace of the negotiations;
4. **REITERATE** that Phase I of the ACP-EU negotiations should be expeditiously concluded with an agreement covering the principles, objectives and cross-cutting issues in EPAs as provided for in the Guidelines;
5. **FURTHER REAFFIRM** the unity and solidarity of Africa throughout the EPA negotiations;
6. **FURTHER REITERATE** that the development dimensions, with emphasis on the provision of additional resources for the removal of production, supply and trade constraints, must be adequately addressed in the negotiations to make EPAs truly development-oriented;
7. **DIRECT** African negotiators to ensure that EPAs are compatible with the objectives and principles of the Constitutive Act, the Abuja Treaty and the African Union Programme-NEPAD;
8. **MANDATE** the Commission to coordinate, monitor and harmonise the efforts of the concerned RECs and Member States in the negotiations of EPAs with the EU; and

establish an appropriate mechanism for cooperation and coordination between the Permanent Representatives' Committee (PRC) in Addis Ababa, the African Groups of Ambassadors and Negotiators in Brussels and Geneva, as well as with the capitals of concerned Member States;

- 9. CALL ON** all Member States of the AU and EU to intensify cooperation in WTO to achieve development-friendly rules in that Organisation in order to promote the sustainable development of African/ACP States, contribute to poverty eradication and facilitate the smooth integration of African countries into the world economy, with due regard to their political choices and development priorities so as to enable our continent to respond to the challenges of globalization;
- 10. FURTHER DIRECT** the Commission to work towards the establishment of a joint AU/EU Monitoring Mechanism to include the various African regional negotiating groups/RECs with a view to:
 - a) monitoring the entire process of the EPAs;
 - b) facilitating the implementation of the regional integration programmes under the ACP/EU Cotonou Agreement, the Ninth EDF, including capacity-building programmes; and
 - c) ensuring the coherence of these programmes with the priorities and objectives of the African Union.

**MAPUTO DECLARATION ON MALARIA, HIV/AIDS, TUBERCULOSIS, AND OTHER
RELATED INFECTIOUS DISEASES**

We, the Heads of State and Government of the African Union, meeting at the Second Ordinary Session of our Assembly in Maputo, Mozambique, 10 -12 July 2003, devoted a special session to review and debate the current status of the HIV/AIDS, Tuberculosis (TB), Malaria and Other Related Infectious Diseases (ORID) in our continent. We held a Video Conference with relevant experts and international agencies concerned with the prevention and fight against these diseases, to exchange views and discuss further concrete actions which should be taken to curtail their spread in our countries, in this regard, **WE**:

Remain Deeply Concerned about the continuing spread of HIV/AIDS, TB, Malaria and ORID, despite the efforts that Member States have exerted to operationalise the commitments made at the Abuja Summits on Roll Back Malaria (April 2000) and on HIV/AIDS, TB and ORID (April 2001);

Commend the role being played by the African Union (AU), in collaboration with UNAIDS and its co-sponsoring UN Agencies, the ECA and other international institutions in coordinating and monitoring the implementation of these Declarations and Plans of Action. We urge that these efforts be further developed and strengthened until the scourges are brought under effective control;

Have Analysed the progress achieved so far in the prevention and fight against HIV/AIDS, TB, Malaria and ORID, which are the major causes of morbidity and mortality and constrain the socio-economic development of our region, accentuating poverty, disrupting family and social fabric and putting millions of our people in despair. We acknowledge the successes achieved in some sub-regions in reducing HIV incidence. We note that this was possible because of political commitment, resource mobilization, collective social action and a high level of awareness among our citizens in face of these threats. We urge that these positive steps and measures be intensified in all our States to achieve greater success against these diseases;

Note that the majority of those infected with and affected by HIV/AIDS in our continent are women, children and young people; especially the poor who have limited access to effective care and support. This reflects their vulnerability particularly in societies marked by gender inequality, where the burden of care for the sick and for the children orphaned by AIDS falls overwhelmingly on women. In this connection, we recognise the need to redouble efforts in giving particular attention to women and young people's participation and access to information, life skills and services;

Also Recognise the inclusion of the HIV/AIDS as a cross-cutting issue in the New Partnership of Africa's Development (NEPAD), and the establishment of other initiatives such as AIDS Watch Africa (AWA), the Commission for HIV/AIDS and Governance in Africa (CHGA) and the Millennium Development Goals, all of which represent milestones of progress in the fight against HIV/AIDS. We acknowledge the progress made in some of our countries in mainstreaming HIV/AIDS into relevant development frameworks such as Poverty Reduction Strategies Papers (PRSPs). We urge that these efforts be sustained, strengthened and extended to all countries;

Note that many Member States have mobilized internal resources and taken bold leadership steps to confront HIV/AIDS and other health challenges. We also acknowledge the response by the international community to the efforts to combat HIV/AIDS, TB, Malaria and ORID. The establishment of the Global Fund to Fight AIDS, TB and Malaria (GFATM), provided a renewed impetus to the programmes and interventions that Member States designed to combat these diseases. However considering the gravity of the impact of these diseases which have together already been declared an emergency, we note that in a relatively short period of time the

GFATM has made significant financial commitments to concrete programs to fight these diseases in Africa and disbursements are already underway. However, we underscore the need for major new and sustainable financing (3 billion US dollars by the end of 2004) for the Fund from donor nations. These will ensure that resources made available to fight the diseases rise to a new and more realistic level given the scale of the epidemics;

Recognize that health systems in our region need to be strengthened, adequately equipped and financed to provide quality and effective care against diseases and particularly against HIV/AIDS, TB, Malaria and ORID in view of their devastating effects on society;

Reaffirm our commitment to achieving the goals we set concerning health sector financing in our States and recommit ourselves to meet the target of 15% of national budget to be allocated to health. We reiterate our readiness to mobilize more internal resources for this struggle, in partnership with the private sector, civil society and all other stakeholders. We are convinced that the scaling up of health interventions for HIV/AIDS, TB, Malaria and ORID prevention, care treatment and support can significantly contribute to the overall reduction of morbidity and mortality and to the improvement of the quality of life of those infected and affected by these diseases;

Warmly Welcome the recent announcement by President George W. Bush of the United States of America, to provide US dollar 15 billion within the next five years for the combating of HIV/AIDS in Africa. We express the hope that the funds will be released in due time to enable the realization of the set goals and objectives. We call on the US government to appropriate 3 billion US dollars in 2004, a significant amount of which should be allocated to the Global Fund;

Are Aware that provision of quality care, support and treatment to HIV/AIDS patients are important aspects of prevention and control, and require coordination and harmonization of policies, strategies and programs to obtain maximum efficiency and cost-effectiveness. We are convinced that HIV/AIDS care, support and treatment are essential components of prevention and control and can help address the stigma and discrimination associated with this disease and thus significantly contribute to the reduction of its spread and to the survival of those infected and affected;

Recognise the urgent need to alleviate the impact of the HIV/AIDS on the lives of orphans and their long-term development prospects. In this regard, appropriate policies including legal and programmatic frameworks, as well as essential services for the most vulnerable children, should be adopted and applied at all levels. The challenge is to keep parents alive through effective treatment and prevention as a first vital step;

WE, THEREFORE, SOLEMNLY:

1. **REAFFIRM** the commitments enshrined in the Abuja Declaration and Plan of Action on Roll Back Malaria, and the Abuja Declaration and Framework Plan of Action on HIV/AIDS, TB and ORID and **REITERATE** our commitment to intensify and consolidate efforts for their implementation;
2. **URGE** the international community to honour their pledges by disbursing the funds needed to fully execute the programs for prevention, care, support and treatment of HIV/AIDS, TB, Malaria and ORID, especially through the Global Fund, the World Bank Multi-country AIDS Programmes and other initiatives, including removing conditionalities associated with debt relief and others that contribute to constraining health sector spending;
3. **ALSO URGE** the Global Fund and recipients of its funding, to work together to develop simpler and expeditious mechanisms to ensure that these large additional financial

flows are quickly and easily available to institutions in Africa that can utilize them effectively in the fight against the diseases. We further urge the Global Fund, UNAIDS family and the recipient countries to work together to ensure the realization of our common objectives;

4. **EXPRESS OUR DETERMINATION** to ensure that all opportunities for scaling up treatment for HIV/AIDS are pursued energetically and creatively, and in this connection, seek diverse and effective partnerships with international donors, civil society, business sector and people living with HIV/AIDS, in order to extend effective care, support and treatment to the maximum number of people, particularly women, orphaned children and others made vulnerable by HIV/AIDS, in conformity with the principles of equal access and gender equity;
5. **COMMIT OURSELVES** to promote partnerships with the private sector and relevant UN Specialised Agencies, pharmaceutical companies and other partners to increase local and regional capacity for production and distribution of affordable generic pharmaceuticals for the management of HIV/AIDS, TB, Malaria and ORID - the diseases with the highest impact on Africa's socio-economic development;
6. **RESOLVE** to continue to support the implementation of the Plan of Action for the AU Decade for African Traditional Medicine (2000 – 2010), especially research in the area of treatment for HIV/AIDS, TB, Malaria and ORID;
7. **REQUEST** the Commission in collaboration with UNAIDS and its joint UN Co-sponsoring Agencies, ECA and other partners, to coordinate and intensify efforts among Member States, monitor implementation of this Declaration and report regularly to our Assembly.

“WE BELIEVE THAT MALARIA, HIV/AIDS, TB AND ORID CAN, MUST AND WILL BE DEFEATED!”

**DECLARATION ON AGRICULTURE
AND FOOD SECURITY IN AFRICA**

We, the Heads of State and Government of the African Union (AU), assembled in Maputo at the Second Ordinary Session of the Assembly, 10 to 12 July, 2003;

Concerned that 30 percent of the population of Africa is chronically and severely undernourished; that the Continent has become a net importer of food; and that it is currently the largest recipient of food aid in the world,

Convinced of the need for Africa to utilize its full potential to increase its food and agricultural production so as to guarantee sustainable food security and ensure economic prosperity for its peoples,

Noting with satisfaction the collaborative effort of the African Union Commission, the NEPAD Secretariat, the Regional Economic Communities (RECs) and FAO on the one hand, the Governments of Member States and other Partners on the other, in the preparation of the Comprehensive Africa's Agricultural Development Programme (CAADP),

Recalling the Declaration of the Heads of State and Government, in their capacity as Chairpersons of the Regional Economic Communities in Abuja, Nigeria, December 2002,

Convinced of the need to address the root causes of agricultural crises in Africa, aggravated in particular by inadequate funding, the lack of adequate water control and management, poor rural infrastructure and neglect of agricultural research, as well as the threat of HIV/AIDS,

Recognizing that it is Africa's responsibility to reinvigorate its food and agriculture sector for the economic prosperity and welfare of its people,

Resolve to:

- 1. REVITALIZE** the agricultural sector including livestock, forestry and fisheries through special policies and strategies targeted at small scale and traditional farmers in rural areas and the creation of enabling conditions for private sector participation, with emphasis on human capacity development and the removal of constraints to agricultural production and marketing, including soil fertility, poor water management, inadequate infrastructure, pests and diseases;
- 2. IMPLEMENT**, as a matter of urgency, the Comprehensive Africa Agriculture Development Programme (CAADP) and flagship projects and evolving Action Plans for agricultural development, at the national, regional and continental levels. To this end, we agree to adopt sound policies for agricultural and rural development, and commit ourselves to allocating at least 10% of national budgetary resources for their implementation within five years;
- 3. CALL UPON** the African Union Commission, the Steering Committee of NEPAD, the FAO and other partners to continue their cooperation providing effective support to African countries and the RECs in the implementation of the CAADP;
- 4. ENGAGE** in consultations at national and regional levels with civil society organizations and other key stakeholders, including the small-scale and traditional farmers, private sector, women and youth associations, etc., aimed at promoting their active participation in all aspects of agricultural and food production;

5. **ENSURE**, through collaborative efforts at the national and regional levels, the preparation of bankable projects under CAADP for the mobilization of resources for investment in agricultural growth and rural development;
6. **ENSURE** the establishment of regional food reserve systems, including food stocks, linked to Africa's own production, and the development of policies and strategies under the African Union and the RECs, to fight hunger and poverty in Africa.
7. **ACCELERATE** the process of establishing the African Investment Bank, as provided for in the Constitutive Act of the African Union, which should give priority to investment in agricultural production.
8. **INTENSIFY** cooperation with our development partners to address the effect of their subsidies, to ensure their support to market access for Africa's exports, and to realize the African Union's vision of a prosperous and viable agricultural sector as envisaged under the NEPAD framework and Millennium Development Goals.

**DECLARATION ON THE IMPLEMENTATION OF THE NEW PARTNERSHIP FOR
AFRICA'S DEVELOPMENT (NEPAD)**

We, the Heads of State and Government of Member States of the African Union, meeting at the 2nd Ordinary Session of our Assembly in Maputo, Mozambique from 10 to 12 July 2003;

Recalling our decision regarding the then New African Initiative, now the *New Partnership for Africa's Development* [NEPAD], taken at the 37th Ordinary Session of the Assembly of the Heads of State and Government of the Organisation of African Unity in July 2001 in Lusaka, Zambia [AHG/Decl.1 (XXXVII)] where we adopted the Strategic Policy Framework and a new vision for the revival and development of Africa;

Recalling Further our decision on the Implementation of the *New Partnership for Africa's Development* [NEPAD] made at the Inaugural Session of the African Union Assembly in Durban, South Africa from 8 to 10 July 2002 [Assembly/AU/Decl. 1(I)], mandating the Heads of State and Government Implementation Committee [HSGIC] and its supporting structures to ensure the implementation of the NEPAD Initial Action;

Reiterating our commitment to the principles and objectives set out in the Constitutive Act of the African Union and our common conviction that peace, security, democracy, good governance, political and social stability as well as sound economic policies are essential conditions for the sustainable socio-economic development of the African continent;

Re-Emphasising our common resolve to eradicate poverty, confront underdevelopment and arrest the marginalisation of the African continent;

Noting that the challenges and problems that prompted us to develop NEPAD as the socio-economic development programme of the African Union aimed at regenerating and reviving the African continent, have not changed;

Noting With Appreciation the Progress Report presented to us by the Chairperson of the NEPAD Heads of State and Government Implementation Committee, H.E. President O. Obasanjo of the Federal Republic of Nigeria, describing the developments in the NEPAD programmes and activities since our last meeting in July 2002 in Durban, South Africa;

Noting Also the progress made in the areas of agriculture, especially in the preparation of detailed and costed country and region-specific agriculture projects for implementation under the Comprehensive African Agriculture Development Programme (CAADP), and also in the implementation of infrastructure high priority projects in energy, transport, water and sanitation, and information and communication technology (ICT) identified under the revised NEPAD Infrastructure Short-Term Action Plan [STAP], as well as progress in developing the Medium to Long-Term Infrastructure Action Plan;

Recognising the high-level political will and involvement of African Heads of State and Government in creating conditions for sustainable development and implementing Africa's socio-economic development programmes and the crucial role played by the HSGIC and its supporting structures in ensuring the implementation of the NEPAD programmes;

Recognising Further that the primary purpose of the *African Peer Review Mechanism* [APRM] is to foster the adoption of policies, standards and practices leading to political stability, high economic growth, sustainable development and accelerated regional and continental economic integration;

Taking Cognisance of the need for the formal integration of NEPAD into the African Union structures and processes and the need to sustain the momentum, genuine interest, support and solidarity created by NEPAD;

Noting With Appreciation the strong support of the international community, especially as expressed in the United Nations General Assembly Declaration (A/RES/57/2) and Resolution on the NEPAD (A/RES/57/7) affirming the United Nations system's support for the implementation of the NEPAD and recommending that the NEPAD be used as the framework for supporting Africa's development by the international community, including the United Nations system;

Welcoming the United Nations General Assembly Resolution on "Strengthening of the United Nations: an Agenda for Change" (RES/A/57/300) wherein, amongst others, the Assembly endorsed the decision of the Secretary-General to establish the Office of the Special Advisor on Africa [OSAA] with the responsibilities to coordinate the United Nations support to Africa, guide reporting on Africa and coordinate global advocacy in support of NEPAD;

Noting With Satisfaction the work-in-progress in the five Clusters of UN Agencies established by the United Nations system with a view to operationalising the renewed interaction, collaboration and co-operation with Africa on the established Clusters (Infrastructure Development: Water and Sanitation, Energy, Transport, and ICTs; Governance, Peace and Security; Agriculture, Trade and Market Access; Environment, Population and Urbanization; and Human Resource Development, Employment and HIV/AIDS);

Welcoming Further the continued support by the international community and the structured engagement and dialogue by the African leaders with the leaders of the Group of Eight Most Industrialised Countries [G8] at their last Summit held from 1 to 3 June 2003 in Evian, France where the implementation of NEPAD as well as the G8 Africa Action Plan were reviewed and, amongst others, the issues of international trade and debt relief for African countries were highlighted to G8 leaders;

Noting With Encouragement the building of linkages by NEPAD, on behalf of the African Union, with other partners, initiatives and organisations such as the European Union, Nordic countries, the Tokyo International Conference on African Development process [TICAD], Association of South-East Asian Nations [ASEAN], the *Economic Community of the Southern Cone* [MERCOSUR] amongst others;

Re-Emphasising the long term nature of the NEPAD programme and our determination to use all available resources to ensure its successful implementation and to sustain the interest and momentum created by the NEPAD process in the African continent and internationally and the need to retain the leadership and co-ordination role of the HSGIC, as a sub-committee of our Assembly, dedicated to the implementation of NEPAD;

Recognising the need to provide sustainable financing for the NEPAD programmes:

Progress Report

1. **ENDORSE** the Progress Report and **COMMEND** the HSGIC and its supporting structures for their co-ordination and catalytic role in facilitating the implementation of NEPAD priority programmes and projects across the African regions and more specifically through co-operation and collaboration with the Regional Economic Communities [RECs];

African Peer Review Mechanism

2. **WELCOME** the progress made with respect to the APRM in particular the accession of a number of Member States of the African Union to the APRM as well as the appointment of the Panel of Eminent Persons and **ENCOURAGE** other Member States of the African Union to accede to the APRM as well;

Programmes Implementation

3. **URGE** that the programmes identified in each priority area, such as infrastructure and agriculture, be urgently implemented and that each region and Member State, through the RECs, provide assistance in the further development and implementation of these programmes and in the continued popularisation of NEPAD amongst all sectors of society, including and in particular the youth, women, private sector and the civil society at large, on the African continent;
4. **ACKNOWLEDGE** the linkage between the work of the Committee of African Ministers of Public Service and the programmatic thrust of NEPAD and **REQUEST** the incorporation of their work as an important element of the overall AU programme.
5. **CALL UPON** Member States and the RECs to promote and implement these priority programmes and projects as well as to develop detailed and costed action plans in the areas of health, education, culture, science and technology, environment and tourism;
6. **DECIDE** that the co-ordination of all NEPAD sectoral programmes, initiatives and related activities continue to be undertaken through the NEPAD HSGIC and its supporting structures;
7. **ENCOURAGE** the NEPAD Heads of State and Government Implementation Committee to explore adequate funding mechanisms for sustainable financing of NEPAD programmes and projects, including the possibility of a NEPAD Trust Fund;

Integration of NEPAD into the AU Structures and Processes

8. **MANDATE** the Heads of State and Government Implementation Committee of NEPAD, supported by the NEPAD Steering Committee and the NEPAD Secretariat, to continue their vital work of ensuring the implementation of NEPAD programmes;
9. **MANDATE** the Chairperson of the Commission of the African Union, in consultation with the Chairperson of the HSGIC, to operationalise the following, with the flexibilities as may be required:
 - (i) establish appropriate linkages between the NEPAD Steering Committee with the relevant organs of the African Union including the Permanent Representatives Committee and the Executive Council in order to ensure integrated inputs into the work of the HSGIC;
 - (ii) enter into a temporary host agreement with the Government of the Republic South Africa with a view to providing the NEPAD Secretariat with a legal status of an AU office operating outside the African Union Headquarters for *a transitional period* of three (3) years as from July 2003, or until such time the relevant structures of the African Union are fully operational, whichever comes first;
 - (iii) formalise the working relations between the AU Commission and the NEPAD Secretariat, especially for programme co-ordination and harmonisation;
 - (iv) align and harmonise the conditions of service, rules of recruitment and accountability with those of the AU Commission; and
 - (v) develop a sustainable funding mechanism for NEPAD after its complete integration into the AU structures and processes.

10. **MANDATE** the Chairperson of the Commission of the African Union, in consultation with *the Chairperson of the HSGIC*, to appoint the Executive Head of the NEPAD Secretariat during the *transitional period*;
11. **ENCOURAGE** voluntary contributions from all Member States of the African Union towards the operational budget of NEPAD and its structures during the *transitional period*;

International Support

12. **CALL UPON** the international community to continue its enhanced support towards the implementation of NEPAD, and on the HSGIC to further intensify its efforts in engaging Africa's development partners in both developed and developing countries.

SPECIAL COMMENDATION TO DR. JACQUES DIOUF DIRECTOR- GENERAL OF THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

The Assembly:

Conscious of the immense contributions of the United Nations Food and Agriculture Organization (FAO), under the dynamic and purposeful leadership of Dr. Jacques Diouf, to the development of agriculture and food production in Africa,

Appreciative of the invaluable support given by the FAO to the African Union's Programme, the New Partnership for Africa's Development (NEPAD) in the formulation and elaboration of the Comprehensive African Agricultural Development Programme (CAADP) and its Action Plans,

In recognition of the unreserved commitment of Dr. Jacques Diouf to the full development of the agricultural potentials of Africa, and through that, to the eradication of hunger and poverty in the Continent:

COMMENDS H.E. Dr. Jacques Diouf, Director General of the Food and Agriculture Organization of the United Nations for his commitment to, and pioneering concrete actions towards the development and improvement of agriculture, enhancement of food security and eradication of poverty in Africa.

**MOTION OF THANKS TO H.E. JOAQUIM CHISSANO, PRESIDENT OF THE
REPUBLIC OF MOZAMBIQUE**

The Assembly,

Conscious of the tremendous effort deployed by the Government and People of Mozambique to organize the 1st Meeting of the Ministers of Agriculture of the Member States of the African Union **on 2nd July 2003, in Maputo, Mozambique** and the excellent facilities provided for the meeting:

1. **Expresses its profound** gratitude and appreciation to H.E. Joaquim Chissano, President of the Republic of Mozambique, his Government and People for the warm African hospitality and cordial reception extended to all Ministers and their delegations as well as for the excellent facilities provided and arrangements made for the meeting;
2. **Pays special tribute** to H.E. President Chissano, for his dynamic leadership and contribution to the achievement of the objectives of the African Union;
3. **Congratulates** H.E. President Chissano for his inspiring keynote address at the opening of the meeting.

**SPECIAL VOTE OF THANKS OF THE ASSEMBLY OF THE AFRICAN UNION TO H.E. AMARA
ESSY, INTERIM CHAIRPERSON OF THE COMMISSION**

The Assembly:

Considering the excellent results achieved in the implementation of the Lusaka and Durban Decisions by Mr. Amara Essy, as OAU Secretary General and then Interim Chairperson of the Commission of the African Union,

Considering also that these positive results made it possible to launch the key organs of the Union, namely: the Assembly, the Executive Council, the Permanent Representatives' Committee, the Peace and Security Council, the Commission and the African Court of Justice,

Considering also that these results made it possible to finalize amendments to the Constitutive Act of the African Union, elect new Members of the Commission, finalize the Structure, the Programmes, Human Resource Requirements and Conditions of Service of Staff of the Commission, and adopt the new Scale of Assessment of the Union,

Considering further the significant progress made in the implementation of the other Durban and Lusaka Decisions regarding the launch of other organs of the Union such as the Economic, Social and Cultural Council, the Specialized Technical Committees, the Review of the Protocol on the Relations between the African Union and Regional Economic Communities, the Extra-Budgetary Funding of the Union, the Transfer of the Assets and Liabilities of the OAU to the AU, the Design of the New Symbols of the African Union, the Revision of all OAU Agreements and Treaties, the Preparation of New Criteria for Granting AU Observer Status and the Review of the Financial Rules and Regulations,

Noting with Satisfaction the efforts deployed to establish the Union, thereby enabling this Organ to be operational soon after the Maputo Summit, in keeping with the Durban mandate:

1. **EXPRESSES** its sincere thanks to H.E. Amara Essy for the successful and smooth transition from the OAU to the AU;
2. **ALSO EXPRESSES** the gratitude of all AU Member States and the people of Africa to Amara Essy for the historic work accomplished;
3. **DECIDES** to confer on Amara Essy on the occasion of its next Ordinary Session, an honorary award in recognition of the outstanding services he has rendered to Africa and, **REQUESTS** the Chairperson of the Commission to take all necessary measures to this effect.

AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

UNIÃO AFRICANA

Addis Ababa, ETHIOPIA

P. O. Box 3243

Telephone 517 700

Cables: OAU, ADDIS ABABA

ASSEMBLY OF THE AFRICAN UNION

Second Ordinary Session

10 - 12 July 2003

Maputo, MOZAMBIQUE

Assembly/AU/Decl. 4 - 11

AU DECLARATIONS