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**CONCEPT NOTE**

**FOR**

**THE AFRICAN UNION FORUM ON INTERNATIONAL LAW AND AFRICAN  
UNION LAW**

**OCTOBER 2012**

**ADDIS ABABA, ETHIOPIA**

## **I. INTRODUCTION**

1. The History of the African Union Commission on International Law (AUCIL) started with Decision EX.CL/Dec.129(V) adopted by the fifth Ordinary session of the Executive Council in July 2004, which took note of the proposal by a meeting of experts on the review of OAU/AU Treaties on the need for the establishment of an African Commission of International Law. The Assembly reaffirmed this decision by virtue of Decision Assembly/AU/Dec.71(IV), adopted by the Fifth Ordinary Session of the Assembly held in Abuja, Nigeria in January 2005, on the African Union Non-Aggression and Common Defence Pact wherein in Article 14 of the Pact, Member States undertook to establish this Commission.

2. The AUCIL was operationalised through adoption of its Statute by Decision Assembly/AU/Dec.209(XII) of the 12<sup>th</sup> Ordinary Session of the Assembly held in Addis Ababa, Ethiopia, in February 2009, following the recommendation of the Executive Council in its Decision EX.CL/Dec.478 (XIV) adopted by the Fourteenth Ordinary Session of the Executive Council held in Addis Ababa, Ethiopia in February 2009. The AUCIL is established as an Organ of the African Union pursuant to the provisions of Article 5(2) of the Constitutive Act.

3. The establishment of the AUCIL was inspired by the common objectives and principles enshrined in the Constitutive Act of the African Union, notably Articles 3 and 4 which underscore the importance of accelerating the socio-economic development of the Continent through the promotion of research in all fields. It was also inspired by the common goal to strengthen and consolidate the principles of international law and to agree on common approaches to international legal development, as well as to continue to work towards maintaining standards in important areas of international law.

## **II. BACKGROUND**

4. The Success of International Law and African Union Law require much wider implementation mechanize of the legal instruments by Members States, on top of their ratification or accession and consequently their domestication of the International Legal Instrument through their own legal system. It will demonstrate the commitment of States Parties to the implementation of the International Laws and African Union Laws in order to fulfill their international responsibilities.

5. The effectiveness of International Law and African Union Law on the continent requires the involvement of all the key stakeholders, including in particular, Member States of the African Union, NGOs and Regional Institutions. One way to involve these stakeholders is to engage them in dialogue, through meetings and other awareness and sensitization activities to address them about International law, in particular, on its implementation and importance to International crimes and national jurisdictions. It should be note that, it is one of the important factors to national and regional development as a whole, as well as, on the role each stakeholder can play or should play to ensure the effective implementation of

International Law and African Union Law in general and the importance of Member State cooperation in particular.

6. AUCIL thus decided to engage in a forum across the Continent to create awareness. Accordingly, the first continental forum will be held in October 2012.

### III. AIMS AND OBJECTIVE

7. This forum will deliberate among other issues the major topics of the international law and African Union law for member states to establish the African Society of International Law. The forum specifically will analyze the African International law.
8. The forum will add a value to the Member States understanding of international law in Africa. In addition, the forum aims to create an awareness regarding African Union Law and International Laws for Member States and AU organs.
9. At the end it will deliver publications of the Forum; it will have two publications. The first one on Quarterly Journal and the second Journal on the Proceedings of the Forum.

### IV. VENUE AND DATE

10. The forum will be held in Addis Ababa, Ethiopia, from 6 – 7 December 2012.

### V. THEME AND TOPICS FOR DISCUSSION

11. The theme of the Forum is **“The African Union Forum on International Law and African Union Law”**.
12. The topics for discussion include:
  - I. Presentation on the work of AUCIL;
  - II. Presentations on Africa and International Law;
  - III. Presentation on African Union Law;
  - IV. Presentation on Teaching, Study and Dissemination of International Law in Africa;
  - V. Coordination and collaboration among African international law related institutions and experts in the field.

### VI. PARTICIPANTS

13. It is expected that the forum will be attended by a wide range of stakeholders drawn from Africa. They will come from Member State of African Union working towards the promotion and implementation of International Law and African Union Law in the continent. It will include AU organs, Regional organs, Member State representatives, Academic institutions, individuals, NGOs and Bar Association.

14. It is expected that there will be Invited Guests that will attend the forum, the invited guest include UN-ILC, Inter-American Institute on International Law, UNHCR and traditional partners.

## VII. METHODOLOGY

15. The forum will be consultative as well as participatory, to facilitate exchange of information and experiences. There will be presentations on various topics, and presentations will be done by International Law and African Union Law experts or practitioners.

## VIII. CONFERENCE LANGUAGE

16. The forum will be conducted in Arabic, English, French and Portuguese. Simultaneous interpretation and documentation will, as far as possible, be available in these languages.

## IX. FURTHER INFORMATION

17. Further information on the African Union Forum on International Law and African Union Law can be obtained from the AUCIL website at <http://pages.au.int/aucil>. For enquiries on this forum, please contact;

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