

AFRICAN UNION

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DECISIONS OF THE 14th AFRICAN UNION SUMMIT

Addis Abeba, 4 February 2010 – The Assembly of the African Union Heads of State and Government while at their 14th Ordinary Session from 31st January to 2nd February 2010, in Addis Ababa, Ethiopia, adopted the following Decisions:

On the situation of peace and security in Africa, the Summit expressed satisfaction with the efforts by the African Union and the Regional Economic Communities (RECs), with support from the international community, for the effective establishment of the continental Peace and Security Architecture, as well as for the prevention and resolution of conflict and the consolidation of peace.

With regard to unconstitutional changes of government, and strengthening the capacity of the African Union to manage such situations, the Assembly reiterated the African Union's total rejection of unconstitutional changes of Government, and its determination to put a definitive end to this scourge, which undermines the progress achieved in the ongoing democratization processes in the continent and constitutes a threat to peace and security in Africa. The Assembly decided that, in case of unconstitutional changes of government, in addition to the suspension of the country concerned, the following measures shall apply: non-participation of the perpetrators of the unconstitutional change in the elections held to restore constitutional order; implementation of sanctions against any Member State that is proven to have instigated or supported an unconstitutional change in another State; and implementation by the Assembly of other sanctions including punitive economic sanctions. It further decided that, Member States should, upon the occurrence of an unconstitutional change of Government, refrain from granting any accreditation to the *de facto* authorities in non-African international bodies, including the United Nations and its General Assembly, thus strengthening the automatic suspension measure taken by the AU against the countries in which unconstitutional changes of Government have taken place. The Assembly strongly underscored the importance of signing and ratification by Member States which have not already done so, of the AU Charter on Democracy, Elections and Governance as well as on good neighbourliness and non-subversion.

Concerning the International Criminal Court (ICC), the recommendation of the Assembly contained therein, and in particular the following:
Proposal for amendment to Article 16 of the Rome Statute;

Proposal for retention of Article 13 as is;

Procedural issues: guidelines for the exercise of prosecutorial discretion by the ICC Prosecutor;

Immunities of officials whose states are not parties to the Rome Statute: the relationship between articles 27 and 98; and

Proposals regarding the crime of aggression.

On the abuse of the principle of universal jurisdiction, the Assembly reiterated its previous positions adopted in Sharm el Sheikh, Addis Ababa and Sirte in July 2008, February 2009 and July 2009 respectively to the effect that there has been blatant abuse of the Principle of Universal Jurisdiction particularly by some non-African States. It called for immediate termination of all pending indictments while urging the Commission to follow-up on this matter with a view to ensuring that a definitive solution to this problem is reached and to report to the Ordinary Session of the Assembly through the Executive Council in July 2010.

For the Hissène Habré case: the Assembly appealed to all Member States to contribute to the budget of the trial and extend the necessary support to the Government of Senegal in the execution of the African Union (AU) mandate to prosecute and try Hissene Habre;

With respect to the terrorist attack against the Togolese national football team, the Assembly recalled the principles enshrined in the Constitutive Act of the African Union, the 1999 OAU Convention on Preventing and Combating Terrorism (Algiers Convention) and the 2004 Protocol, the relevant legal instruments of the United Nations and other international conventions relating to the fight against terrorism, all of which equally condemn the support, sheltering and financing of terrorists groups;

On the **Year of Peace and Security in Africa**, the Assembly stressed that the Year of Peace and Security will be an opportunity for African people and leaders, as well as African institutions, in partnership with the international community, to review current efforts towards peace on the continent, with a view to strengthening them and, where appropriate, launching new initiatives, in particular by:

- giving added momentum to peace and security efforts on the continent;
- giving greater visibility to ongoing and past efforts by the African Union on the ground;
- speeding up the implementation of commitments made by Member States to various AU instruments relating to peace and security;
- making synergy between official efforts to promote peace and security with those being undertaken on the ground by grassroots communities; and
- mobilizing resources to support peace and security efforts on the Continent.

On the African Common position on the review of the implementation of the Beijing+15 platform, the Assembly took note of the Report on the African Common Position on the Fifteen Year Review of the Implementation of the Beijing Platform of Action, and the recommendations contained therein. It called on the United Nations to consider and incorporate the Common African Position on the Fifteen Years Review of the Implementation of the Beijing Platform for Action, during the global review.

Regarding the establishment of the Fund for African Women, the Assembly decided to launch the Fund for African Women in accordance with Assembly Decision Assembly/AU/Dec.143 (VIII) adopted in Addis Ababa, Ethiopia, in January 2007.

On the date and venue of the fifteenth Ordinary Session of the Assembly of the African Union, the Assembly accepted the dates proposed by the Republic of Uganda and the Commission for the holding of the Summit meetings in Kampala as follows:

19 to 20 July 2010: 20th Ordinary Session of the Permanent Representatives' Committee;

22 to 23 July 2010: 17th Ordinary Session of the Executive Council;

25 to 27 July 2010: 15th Ordinary Session of the Assembly.

Concerning **the election of the members of the Peace and Security Council of the African Union**, the Assembly appointed the following five (5) Members of the Peace and Security Council for a three-year term as of 1 April 2010:

NAME	REGION
Equatorial Guinea	Central Region
Kenya	Eastern Region
Libya	Northern Region
Zimbabwe	Southern Region
Nigeria	Western Region

It also appointed the following ten (10) Members of the Peace and Security Council for a two-year term as of 1 April 2010:

NAME	REGION
Burundi	Central Region
Chad	Central Region
Djibouti	Eastern Region
Rwanda	Eastern Region
Mauritania	Northern Region
Namibia	Southern Region
South Africa	Southern Region
Benin	Western Region
Cote d'Ivoire	Western Region
Mali	Western Region

Concerning **the African Common Position at the Copenhagen Summit on Climate Change**, the Assembly reaffirmed its continued stand to remain united in all future negotiations on climate change while endorsing that the leadership of H.E Meles Zenawi, Prime Minister of the Federal Democratic Republic of Ethiopia, as Coordinator of CAHOSCC, be extended to lead CAHOSCC for the next two Conferences of Parties (COP16 in Mexico and COP17 in South Africa, in 2010 and 2011 respectively).

Regarding the report of the Heads of State and Government Implementation Committee on NEPAD, the Assembly approved the adoption of a new strategic approach focusing on partnership dialogue on Africa's development policy issues and called for the institutionalization of Africa's engagement within the G20, and the effecting of the desired paradigm shift from management of poverty in the Continent to economic transformation for Africa to emerge as a new growth pole to address existing imbalances and play a significant role in the integrated world economy.

On the integration of the NEPAD into the structures and processes of the African Union including the establishment of the NEPAD Planning and Coordinating Agency (NPCA), the Assembly approved the following:

- Facilitate and coordinate the implementation of the continental and regional priority programmes and projects;
- Mobilize resources and partners in support of the implementation of Africa's priority programmes and projects;
- Conduct and coordinate research and knowledge management;

Regarding the response to the global financial crisis, the Assembly expressed some concerns on the impact of the global financial and economic crisis on African countries, despite their economies being less integrated into the international financial system. It called upon developed countries as well as international financial institutions to urgently implement the recommendations and commitments made during the Pittsburgh G-20 Summit, while requesting the Commission, in collaboration with the AfDB and the ECA, to continue monitoring the impact of the crisis on African countries, as well as the implementation of the G20 Summit Commitments

On the Reform of the United Nations Security Council, the Assembly reaffirmed the Ezulwini Consensus and the Sirte Declaration on the reform of the United Nations Security Council containing the African Common Position, and called for its intensive promotion to ensure that Africa speaks with one voice on the issue of Security Council Reform.

On the annexes to the statutes of the African Investment Bank, the Assembly adopted the Annexes to the Statutes of the African Investment Bank (AIB) including the selection of scenario B, on the distribution of capital and voting rights of the AIB among Member States, and the choice of Special Drawing Rights (SDRs) of the International Monetary Fund as unit of account of the AIB, until the creation of the African single currency. It called on the Member States that have not yet done so to sign and ratify the Protocol and the Statutes of the African Investment Bank.

On the African Union budget for the 2010 financial year, the Assembly approved the Budget of the African Union for the Year 2010 amounting to US\$250,453,697. They requested the Commission to implement the decision to increase Member States' contribution towards the peace fund from 6% to 12% over a period of 3 years starting from 2011. They also decided to allocate US\$3,020,854 to NEPAD as initial budget for its integration into African Union structures and processes pending the approval of its structure by the Policy Organs as well as the continued harmonization of its programs with those of AUC to avoid duplication and ensure coherence.

On **Zimbabwe**, the Assembly recalled its Decision 252 adopted in Sirte, Libya, in July 2009 on the immediate lifting of sanctions imposed on Zimbabwe. In this regard, the Assembly invited all the Member States of the AU and the international community to give priority to the immediate and permanent lifting of the international sanctions imposed on Zimbabwe.