

AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

UNIÃO AFRICANA

Addis Ababa, ETHIOPIA

P. O. Box 3243

Telephone: 517 700

Fax: 5130 36

website: www.africa-union.org

ASSEMBLY OF THE UNION
Twenty-First Ordinary Session
26 - 27 May 2013
Addis Ababa, ETHIOPIA

Assembly/AU/Dec.474-489(XXI)
Assembly/AU/Decl.1-2(XXI)
Assembly/AU/Res.1(XXI)

DECISIONS, DECLARATIONS AND RESOLUTION

**DECISION ON THE AFRICAN COMMON POSITION ON THE
POST-2015 DEVELOPMENT AGENDA
Doc.Assembly/AU/10(XXI)**

The Assembly,

1. **TAKES NOTE** of the report on progress made in 2013 towards attaining the Millennium Development Goals (MDGs) in Africa;
2. **COMMENDS** the African Union Commission, the United Nations Economic Commission for African (UNECA), the African Development Bank (AfDB) and the United Nations Development Programme (UNDP) for preparing the report which documents the progress made, lessons learned and challenges to be addressed in implementing the MDGs in each country;
3. **REQUESTS** the Commission, in consultation with Regional Economic Communities and relevant Stakeholders, to continue to engage Member States, including the Permanent Representatives' Committee in Addis Ababa and the African Group in New York, with a view to developing the African common position on the Post-2015 Development Agenda for consideration during the next Summit to be held in January 2014;
4. **FURTHER REQUESTS** the Commission, the NEPAD Agency, the UNECA, the ADB, the UNDP, the United Nations Population Fund (UNFPA) and other relevant Organizations working in the social domain to set up a technical working group to translate the African priorities for the Post-2015 Development Agenda into goals, targets and specific indicators for inclusion in the Sustainable Development Goals (SDG) process and the Post-2015 Global Agenda;
5. **INVITES** Member States to provide inputs and contributions towards the elaboration of the Post-2015 Development Agenda;
6. **CALLS UPON** all Member States and Regional Economic Communities (RECs) to support, promote, own and build alliances for the African Common Position to enable Africa to speak with one voice during the discussions at the UN General Assembly aimed at defining the Post-2015 Development Agenda;
7. **MANDATES** the Commission to update on regular basis the statistical data and other relevant information in concert with Member States; and in this regard, appeals to Member States to sign and ratify the African Charter on Statistics.

**DECISION ON THE ESTABLISHMENT OF THE HIGH LEVEL
COMMITTEE OF HEADS OF STATE AND GOVERNMENT
ON THE POST 2015 DEVELOPMENT AGENDA
Doc.Assembly/AU/10(XXI)**

The Assembly,

1. **DECIDES** to establish a High level Committee of Heads of State and Government to sensitise and coordinate the activities of African Leaders and members of the High Level Panel, and build regional and inter-continental alliances on the African Common Position on the post 2015 Development Agenda;
2. **APPOINTS** Her Excellency Mrs Ellen Johnson Sirleaf, the President of the Republic of Liberia as the Chairperson of the High Level Committee which comprise two Heads of State and Government per region to be nominated by the five (5) regions, through consultations to be carried out by the Regional Deans;
3. **REQUESTS** the High Level Committee to further cristalize and synthesize, and even further consult as deemed necessary, so as to finalize the African Common Position and ensure that the priorities identified in the said African Common Position are integrated on the New Global Agenda;
4. **ALSO REQUESTS** the High Level Committee to report annually on the implementation process by Member States of the new development agenda;
5. **MANDATES** the Commission, the NEPAD Agency, in collaboration with UNECA, AfDB and UNDP and other relevant Organizations operating in the social sector to support the activities of the High-Level Committee.

**DECISION ON THE DEVELOPMENT OF THE AFRICAN UNION COMMISSION
STRATEGIC PLAN 2014-2017 AND THE AU AGENDA 2063
Doc. Assembly/AU/3(XXI)**

The Assembly,

1. **TAKES NOTE** of Decision Ext/EX.CL/Dec.1(XIV) taken by the Executive Council during its 14th Extraordinary Session held in Addis Ababa, Ethiopia, on 8 April 2013, and Decision EX.CL/Dec.768(XXIII) of the 23rd Ordinary Session of the Executive Council held in Addis Ababa, Ethiopia, on 22 and 23 May 2013 which approved and recommended the Draft Strategic Plan 2014-2017 of the African Union(AU) Commission to the Assembly for adoption;
2. **ALSO TAKES NOTE** that all inputs provided by Member States during the above-mentioned sessions of the Executive Council have been adequately integrated into the document;
3. **ADOPTS** the Strategic Plan 2014-2017 of the AU Commission;
4. **CALLS UPON** Member States to support the implementation of the Strategic Plan 2014-2017 of the AU Commission;
5. **FUTHER TAKES NOTE** of the progress in the development of AU Agenda 2063 and **ENCOURAGES** the AU Commission, the African Development Bank and the Economic Commission for Africa to continue refining the Draft Framework document through a consultative process involving all segments of African society;
6. **ENDORSES** the recommendation by the Executive Council calling upon the Commission to present the Framework Document for consideration by AU Policy organs in January 2014 and the final Agenda 2063 for adoption in June 2014.

**DECISION ON THE REPORT OF THE AIDS WATCH AFRICA (AWA)
Doc. Assembly/AU/8(XXI)**

The Assembly,

1. **TAKES NOTE** of the Report of the AIDS Watch Africa (AWA) and the recommendations contained therein;
2. **URGES** Member States to ensure the effective implementation of the Roadmap on Shared Responsibility and Global Solidarity for AIDS, TB and Malaria in Africa and to report on progress made;
3. **DECIDES** to include AIDS, TB and Malaria Indicators as well as those of Maternal, Newborn and Child Health in the African Peer Review Mechanism (APRM) as part of our accountability for the implementation of commitments undertaken and **DIRECTS** the Commission to facilitate this;
4. **FURTHER URGES** AWA to ensure that best practices amongst Member States in the prevention and control of HIV/AIDS, Tuberculosis, Malaria and Other Related Infectious Diseases are identified, propagated and adopted by all;
5. **CALLS UPON** countries and all partners to take action in support of achieving the USD 15 billion target and to fully fund the Global Fund in order to completely control the three diseases and save lives;
6. **REQUESTS** AU Member states to develop a sustainable investment plan for health, particularly AIDS, TB and Malaria, with year on year increases in domestic funding;
7. **ALSO REQUESTS** the Commission to convene a meeting of the Pharmaceutical Manufacturing Plan for Africa (PMPA) Consortium including the pharmaceutical private sector in Africa during the Abuja+12 Special Summit on HIV/AIDS, TB & Malaria in Abuja, Nigeria in July 2013;
8. **FURTHER REQUESTS** the Chairperson of AWA to report on progress made to the next June/July 2014 Ordinary Session of the Assembly.

**DECISION ON THE IMPLEMENTATION OF THE GLOBAL
AFRICAN DIASPORA LEGACY PROJECTS
Doc. Assembly/AU/12(XXI)Add.1**

The Assembly,

1. **TAKES NOTE AND WELCOMES** the proposal by the Republic of South Africa for the establishment of a self-funding Technical Committee of Experts for the implementation of the Diaspora Legacy Projects;
2. **RECALLS** the outcomes of the Global African Diaspora Summit that took place in Sandton, South Africa on the 25 May 2012 and the adoption of the Declaration on the Global African Diaspora Summit;
3. **FURTHER RECALLS** the deliberations of the Assembly during its 19th Ordinary Session that took place in Addis Ababa in July 2012 and that which endorsed these outcomes;
4. **RECOGNIZES** that such a Technical Committee of Experts will have the necessary capacity and technical expertise to ensure the expeditious implementation of the five Diaspora Legacy Projects;
5. **APPROVES** the Establishment of a self-funding Technical Committee of Experts for the implementation of the Diaspora Legacy Projects;
6. **FURTHER APPROVES** the composition of the Technical Committee of Experts composed of the Heads/Representatives of the following Institutions:
 - i) African Union Commission;
 - ii) NEPAD Planning and Coordinating Agency (NPCA);
 - iii) African Development Bank;
 - iv) United Nations Development Programme;
 - v) United Nations Economic Commission for Africa;
 - vi) Regional Economic Communities;
 - vii) Africa Capacity Building Institute;
 - viii) Representatives of the Private Sector;
 - ix) Representatives of the Diaspora;
 - x) Heads/Representatives of Implementing Agencies (to be identified)
7. **MANDATES** the Technical Committee of Experts to co-ordinate and monitor the implementation of the Five Legacy Projects that were adopted at the Global African Diaspora Summit in May 2012, and endorsed by the Assembly in July 2012;

8. **FURTHER MANDATES** the Committee to establish the parameters, terms of reference, identify implementing agencies and explore funding modalities for the implementation of each of the five legacy projects;
9. **REQUESTS** the Commission to facilitate the convening of the first meeting of this Committee in June 2013, in order to expedite the fulfilment of its mandate in this regard;
10. **ALSO REQUESTS** the Technical Committee of Experts to report to the next Ordinary Session of the African Union in January 2014.

**DECISION ON THE NEED TO STRENGTHEN AFRICAN LEADERSHIP
IN THE UNITED NATIONS CONVENTION TO COMBAT
DESERTIFICATION (UNCCD) PROCESS
Doc. Assembly/AU/12(XXI) Add.2**

The Assembly,

1. **REITERATES** the terms of Decision Assembly/AU/Dec. 255(XIII) taken at the 13th Ordinary Session of the Assembly of the Union held in Sirte, Libya, in July 2009, recognizing the importance of the United Nations Convention to Combat Desertification (UNCCD) in those countries experiencing serious drought and/or desertification, particularly in Africa, for the livelihoods of millions of Africans affected by land degradation, desertification and drought;
2. **TAKES NOTE** of the various Declarations and Decisions of the African Ministerial Conference on the Environment, particularly its 13th Session (Bamako Declaration of June 2010) and its 14th Session (Arusha Declaration of September 2012) on the Rio+20 Commitments and their effective implementation by the African continent, within the framework of the United Nations Convention to Combat Desertification;
3. **INVITES** Member States to include land degradation, desertification and drought related issues on the list of priorities for their sustainable development;
4. **URGES** Member States to place desertification, land degradation and drought related issues at the centre of the debate on the Post-2015 Development Agenda, and recognize it as one of the sustainable development goals, particularly the neutralization of land degradation (Zero Net Land Degradation);
5. **REITERATES** the crucial importance accorded by Africa to the Convention, and **RECOMMENDS** that the Secretary General of the United Nations ensure that African leadership is maintained at the helm of the UNCCD Permanent Secretariat and **CALL UPON** the UN to provide adequate financial support to that important institution;
6. **PAYS TRIBUTE** to the outgoing Executive Secretary Mr Luc Gnacadja who has greatly contributed to the advancement of the objectives of the Convention;
7. **REQUESTS** the Chairperson of the Commission to initiate consultations with all the principal stakeholders, take all appropriate measures for implementation of this Decision, and report thereon to the next ordinary session of the Assembly;
8. **URGES** Member States to participate actively in the Conference organized on the UNCCD in Namibia next September 2013 and **COMMENDS** Namibia for hosting that important Conference.

**DECISION ON "SUPPORTING FILM PRODUCTION FOR INCREASED
CONTRIBUTION TO AFRICA'S DEVELOPMENT"
Doc. Assembly/AU/12(XXI) Add.3**

The Assembly,

1. **TAKES NOTE** of and **COMMENDS** the proposal by Burkina Faso for the initiative as well as the observations made by Member States on the same;
2. **COMMENDS** Burkina Faso for hosting the Symposium of African Movie Professionals as a side event of the 23rd edition of the Pan-African Film and Television Festival of Ouagadougou (FESPACO);
3. **CONGRATULATES** the President of Burkina Faso, H.E. Blaise Compaoré, for the excellent initiative he has taken to place such an important issue on the agenda for discussion by the Assembly;
4. **TAKES NOTE** of the Ouagadougou Declaration and the concerns expressed by the participants at the Symposium and endorses the recommendations thereon;
5. **URGES** Member States to:
 - join forces for a more dynamic pursuit of public policies for the African film industry, focusing on priority and innovative actions that could, most expeditiously, allow for the production, dissemination and distribution of African movie and audio-visual products;
 - establish a credit fund in each Member State as a way to step up film production;
 - implement the legal instruments and tools provided for in national cultural policies;
 - ensure progressive and sustainable systematization of co-production with all TV networks.
6. **REQUESTS** the African Union and the Regional Economic Communities to support African film production, promote free circulation of African film industry products and activate movie production tools and instruments;
7. **REQUESTS** the Commission to report on a regular basis to the Assembly on the status of implementation of this Decision.

**DECISION ON THE AMENDMENT OF ARTICLE 8.2 OF THE
STATUTES OF THE PAN-AFRICAN UNIVERSITY**

The Assembly,

1. **RECALLS** its Decision, Assembly/AU/Dec. 451(XX) adopted in Addis Ababa, Ethiopia, in January 2013 on the adoption of the Statutes of the Pan-African University;
2. **ALSO RECALLS** Decision, Assembly/AU/Dec.418(XIX) adopted in Addis Ababa, Ethiopia in July, 2012 on the operationalization of the PAU;
3. **TAKES NOTE** of the recommendation of the Executive Council contained in Decision EX.CL/Dec.3(XXIII) regarding the amendment of Article 8.2 of the Pan-African University Statutes;
4. **DECIDES** to amend Article 8.2 of the Pan-African University Statutes to read as follows:

Article 8.2 “The grades and privileges of PAU Rectorate and all other positions should be determined by the Executive Council, upon the recommendation of the Permanent Representatives Committee (PRC).

**DECISION ON INTERNATIONAL JURISDICTION, JUSTICE AND
THE INTERNATIONAL CRIMINAL COURT (ICC)¹
Doc. Assembly/AU/13(XXI)**

The Assembly,

1. **TAKES NOTE** of the presentation made by the Republic of Uganda, on behalf of the Eastern African Region, on International Jurisdiction, International Justice and the International Criminal Court, as well as the recommendations made by the Executive Council;
2. **REITERATES** the African Union's unflinching commitment to combating impunity and promoting democracy, the rule of law and good governance throughout the entire continent, in conformity with its Constitutive Act;
3. **DEEPLY REGRETS** that the request by the African Union (AU) to the United Nations (UN) Security Council to defer the proceedings initiated against President Omar Al Bashir of The Sudan and Senior State Official of Kenya, in accordance with Article 16 of the Rome Statute of the International Criminal Court (ICC) on deferral of cases by the UN Security Council, has not been acted upon; **REAFFIRMS** that Member States such as the Republic of Chad that had welcomed President Omar Al Bashir of The Sudan did so in conformity with the decisions of the Assembly and therefore, should not be penalized;
4. **FURTHER REAFFIRMS** its previous Decisions on the activities of the ICC in Africa, adopted in January and July 2009, January and July 2010, January and July 2011, January and July 2012 respectively, in which it expressed its strong conviction that the search for justice should be pursued in a way that does not impede or jeopardize efforts aimed at promoting lasting peace and reiterated AU's concern with the misuse of indictments against African leaders;
5. **STRESSES** the need for international justice to be conducted in a transparent and fair manner, in order to avoid any perception of double standard, in conformity with the principles of international law, and **EXPRESSES CONCERN** at the threat that the indictment of H.E Uhuru Muigai Kenyatta and H.E William Samoei Ruto, the President and Deputy-President of the Republic of Kenya respectively, may pose to the on-going efforts in the promotion of peace, national healing and reconciliation, as well as the rule of law and stability, not only in Kenya, but also in the Region;
6. **RECALLS** that, pursuant to the principle of complementarity enshrined in the Rome Statute of the ICC, Kenya has primary jurisdiction over the investigations and prosecutions of crimes in relation to the 2007 post-election violence, in this

¹ Reservation entered by the Republic of Botswana on the entire decision

regard, **DEEPLY REGRETS** the Decisions of the Pre-trial Chamber II and the appeals Chamber of the ICC on the admissibility of the cases dated 30 May and 30 August 2011 respectively, which denied the right of Kenya to prosecute and try alleged perpetrators of crimes committed on its territory in relation to the 2007 post-election violence;

7. **SUPPORTS AND ENDORSES** the Eastern Africa Region's request for a referral of the ICC investigations and prosecutions in relation to the 2007 post-election violence in Kenya, in line with the principle of complementarity, to allow for a National Mechanism to investigate and prosecute the cases under a reformed Judiciary provided for in the new constitutional dispensation, in support of the on-going peace building and national reconciliation processes, in order to prevent the resumption of conflict and violence in Kenya;
8. **REQUESTS** the African Union Commission, in collaboration with the African Union Commission on International Law (AUCIL), to organize, with the participation of Member States, all the relevant Organs of the African Union and other relevant Stakeholders, a brainstorming session, as part of the 50th Anniversary discussion on the broad areas of International Criminal Justice System, Peace, Justice and Reconciliation as well as the impact/actions of the ICC in Africa, in order not only to inform the ICC process, but also to seek ways of strengthening African mechanisms to deal with African challenges and problems;
9. **ALSO REQUESTS** the African Union Commission to follow-up on this matter and to report regularly on the implementation of the various Assembly decisions on the ICC.

**DECISION ON THE ELECTION OF FOUR (4) MEMBERS OF THE AFRICAN
COMMISSION ON HUMAN AND PEOPLES' RIGHTS (ACHPR)
Doc. EX.CL/793(XXIII)**

The Assembly,

1. **TAKES NOTE** of the election of four (4) Members of the African Commission on Human and Peoples' Rights (ACHPR) by the Twenty-Third Ordinary Session of the Executive Council held in Addis Ababa, Ethiopia in May 2013;
2. **APPOINTS** the following Members of the ACHPR **for a six (6)-year term:**

No	Name	Country
1.	Ms. Lucy Asuagbor	Cameroon
2.	Ms. Soyata	Mali
3.	Mr. Lawrence Murugu Mute	Kenya
4.	Mr. Yeung Kam John Yeung Sik Yuen	Mauritius

**DECISION ON THE ELECTION OF FOUR (4) MEMBERS OF THE
AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS AND
WELFARE OF THE CHILD (ACEWRC)
Doc. EX.CL/794(XXIII)**

The Assembly,

1. **TAKES NOTE** of the election of four (4) Members of the African Committee of Experts on the Rights and welfare of the Child (ACEWRC) by the Twenty-Third Ordinary Session of the Executive Council held in Addis Ababa, Ethiopia in May 2013;
2. **APPOINTS** the following Members of the ACEWRC for a five (5)-year term:

No	Name	Country
1.	Ms. Azza Ashmawy	Egypt
2.	Ms. Suzanne Aho-Assouma	Togo
3.	Ms. Sidikou Aissatou Alassane Moulaye	Niger
4.	Mr. Joseph Ndayisenga	Burundi

**DECISION ON THE TWELFTH REPORT OF THE COMMITTEE
OF TEN ON UN SECURITY COUNCIL REFORM
Doc. Assembly/AU/9(XXI)**

The Assembly,

1. **RECALLS** Decision Assembly/AU/Dec430 (XIX), **TAKES NOTE** of the Twelfth Report of His Excellency Dr. Ernest Bai Koroma, President of the Republic of Sierra Leone and Coordinator of the Committee of Ten Heads of State and Government on the reform of the United Nations (UN) Security Council;
2. **ALSO TAKES NOTE** of the recent developments in the intergovernmental negotiations on the Security Council reform; in particular, the High-level meetings of the Committee of Ten Heads of State and Government at the levels of Ministers of Foreign Affairs and Permanent Representatives held in Freetown;
3. **REAFFIRMS** its strong commitment to the **Ezulwini Consensus** and **Sirte Declaration** containing the African common position on the reform of the UN Security Council; and **COMMENDS** the Committee of Ten Heads of State and Government for implementing the aspect of holding high-level meetings;
4. **WELCOMES** the efforts of the African Permanent Representatives to the UN in promoting and defending the continent's interest in the UN Security Council Reform process and **UNDERScores** the overriding need to ensure that the interest of Africa continues to be maintained and safeguarded at all times in the ongoing intergovernmental negotiations on Security Council reform, and **REITERATES ITS CALL** for Africa to continue to speak with one voice and cohesively on all issues relating to the UN Security Council reform and related matters;
5. **REITERATES** its request that the African Permanent Representatives of the Committee of Ten to the UN in participating in the on-going intergovernmental negotiations on the UN Security Council reform, continue to liaise with other African Permanent Representatives to the United Nations, and to continue also, to dialogue with and engage other Member States and interest groups in the reform process, with a view to advocating, canvassing and promoting the African common position;
6. **ENCOURAGES** the African Permanent Representatives of the Committee of Ten to the UN to continue to build on and intensify efforts directed at building alliances in support of the African common position with diverse interest groups engaged in the intergovernmental negotiations and to seek any further guidance if necessary, in furtherance of its mandate;
7. **REQUESTS** the Committee of Ten to continue with its high-level meeting outside the margins of the Summit to discuss issues relating to the reform of the Security Council with a view to further building on the gains made so far;

8. **ALSO REQUESTS** the Committee of Ten in continuing to intensify efforts in advocating, canvassing and promoting the African common position to endeavour to reach out at the highest political levels for the purpose of garnering and galvanizing the necessary political will in support of the African common position;
9. **FURTHER REQUESTS** the Commission to continue to facilitate the activities of the African Permanent Representatives of the Committee of Ten to the UN in the intergovernmental negotiations on UN Security Council reform and related consultations thereon;
10. **REITERATES** that the Committee of Ten remains seized of this matter until Africa achieves its objectives on the reform of the UN Security Council, and requests the Committee to present a report to the next Ordinary Session of the Assembly in January 2014.

**DECISION ON ALTERNATIVE SOURCES OF
FINANCING THE AFRICAN UNION
Doc. Assembly/AU/6(XXI)**

The Assembly,

1. **COMMENDS** H.E. Olusegun Obasanjo, Former President of the Federal Republic of Nigeria and Members of his Panel for the excellent Report and its recommendations;
2. **AGREES** that the African Union should be provided with adequate and predictable resources to enable it to fund its programmes, thus reducing the dependency on external resources in this regard;
3. **APPROVES** the Report in principle²;
4. **COMMITTS** to self-reliance in the mobilisation of resources in the financing of the African Union programmes in order to avert undue dependency;
5. **REQUESTS** the Commission to submit the Report to the Conference of Ministers of Finance and Economic Planning for their urgent consideration and concrete proposals of financing and the implementation modalities of different options proposed, including exploring increased assessed contributions and other additional proposals by Member States, and report to the Assembly at its next Ordinary Session in January 2014.

² Reservation entered by the Republic of Cape Verde on Paragraph 3

**DECISION ON THE ESTABLISHMENT OF AN AFRICAN UNION
FOUNDATION FOR VOLUNTARY CONTRIBUTIONS
TOWARDS FINANCING THE AFRICAN UNION
Doc. Assembly/AU/6(XXI)**

The Assembly,

1. **COMMENDS** the High Level Panel on Alternative Sources of Financing the African Union for the quality of their work undertaken over the past two years;
2. **WELCOMES** the proposal of creating an AU Foundation for voluntary contributions towards financing the African Union;
3. **DECIDES** to establish an AU Foundation to accommodate the private sector, individuals and any other donations or contributions;
4. **CALLS UPON** Member States, private sector, donors, philanthropists, and individuals to contribute towards the Foundation to ensure its operationalization.

**DECISION ON THE REPORT OF HEADS OF STATE AND GOVERNMENT
ORIENTATION COMMITTEE (HSGOC) ON NEPAD
Doc. Assembly/AU/7(XXI)**

The Assembly,

1. **NOTES WITH APPRECIATION** the Report by the Chairperson of the NEPAD Heads of State and Government Orientation Committee (HSGOC), H.E. Macky Sall, President of the Republic of Senegal;
2. **ENDORSES** the conclusions of the Twenty-Ninth Session of the NEPAD HSGOC;
3. **RE-AFFIRMS** the continued relevance and role of NEPAD as the African Union flagship development strategy and programme and its continued contributions to advancing continental transformation in the spirit of championing Pan-Africanism and African Renaissance as Africa celebrates the 50th OAU-AU anniversary;
4. **RECALLS** the Decision Assembly/AU/Dec.413(XVI11) based on the conclusions of 26th HSGOC Session on Domestic Resource Mobilization (DRM) for NEPAD programmes and projects regarding the conduct of a comprehensive study on innovative mechanisms and instruments, towards energizing African ownership of the continent's development agenda and programmes;
5. **WELCOMES** the offer of the Republic of Senegal to convene a High-Level Summit and Business Conference on Financing NEPAD programmes and projects in Senegal at a later date, to taking forward to the domestic resource mobilization agenda with a view for focused discussion at the High Level Conference;
6. **TO THIS EFFECT, REQUESTS** the NPCA and UNECA to finalize the findings and conclusions of the study report on "*Mobilizing Domestic Financial Resources for implementing NEPAD National and Regional Programmes - Africa Looks Within*" in collaboration with UNDP and African Development Bank, after due consideration by the NEPAD Steering Committee;
7. **APPRECIATES** the launching of the Virtual PIDA Information Centre (VPic) by the HSGOC as a centralized platform to consolidate information and statistical data on regional infrastructure projects in the context of the Programme for Infrastructure Development in Africa (PIDA) and the Presidential Infrastructure Champion Initiative (PICl);
8. **COMMENDS** the NPCA and AUC for this critical milestone to improve communication on PIDA Priority Action Projects (PAP) and PICl by targeting African countries, policy makers, investors and the RECs. **EMPHASIZES** that VPic will support the PIDA Africa Infrastructure Database (AID) and advance monitoring and evaluation of infrastructure project implementation;

9. **AFFIRMS** the critical need to include key regional infrastructure projects covering the Central and East African sub-region in the PIDA Priority Action Projects (PAP) which was raised during the BRICS-Africa Dialogue. Based on the recommendation of the Chairperson of the Commission, **WELCOMES** the set-up of the AU-RECs Task Team on Infrastructure coordinated by the NPCA Chief Executive Officer as a key outcome of the AUC-RECs Retreat held of March 2013 in Durban following the 5th BRICS Summit and **AGREES** to place the progress report of the work of the Task Team on the agenda of the next HSGOC;
10. **CONGRATULATES** the Government of the Republic of South Africa under the leadership of H.E. President Jacob Zuma for his vision and successfully hosting the 5th Brazil, Russia, India, China, South Africa (BRICS) Summit in Durban in March 2013, along with the landmark BRICS-Africa Dialogue Forum, wherein Africa's priority regional infrastructure projects were showcased by the NEPAD HSGOC Chairperson on behalf of the Union;
11. **SPECIFICALLY NOTES** the briefing by H.E. President Jacob Zuma on the outcomes of the BRICS Summit, particularly the high attendance and unity displayed by African leaders, commitment by BRICS countries to strengthen cooperation with the continent in infrastructure and industrialization and the proposed BRICS-led Development Bank as the expected funding model to promote and accelerate the implementation of multi-country projects;
12. **THEREFORE WELCOMES** the key outcomes of the 5th BRICS Summit reflected in the eThekweni Declaration premised on the theme: 'BRICS and Africa - Partnership for Development, Integration and Industrialization' and the path being forged to strengthen partnership between the BRICS countries, AUC, NPCA and RECs and the proposition to convene similar BRICS-Africa Retreat during the upcoming 6th BRICS and G20 Summits to be hosted by Brazil and Russia respectively;
13. **ALSO WELCOMES AND ENDORSES** the 2013 African Union accountability report on Africa-G8 commitments focusing on HIV/AIDS, Tuberculosis and Malaria as a firm demonstration of Africa's pledge to advance mutual accountability in its partnership engagements and **EXPRESSES APPRECIATION** to the NPCA, AUC and UNAIDS for jointly producing this second African accountability report;
14. **REQUESTS** the NPCA, AUC and UNAIDS to widely disseminate the key messages in the accountability report to African stakeholders and partners for the implementation of the conclusions;
15. **REITERATES** the need for Africa's partnership engagement with the G8 and G20 to remain focused on the continent's development priorities especially in agriculture and infrastructure development.

**DECISION ON THE ESTABLISHMENT OF AN AFRICAN CAPACITY
FOR IMMEDIATE RESPONSE TO CRISES**

The Assembly,

1. **RECALLS** the Report of the Chairperson of the Commission on the establishment of an Capacity for Immediate Response to Crises (ACIRC) submitted to the 6th Ordinary meeting of the Specialized Technical Committee on Defense, Security and Safety (STCDSS), held in Addis Ababa, on 30 April 2013, as well as the Declaration adopted by the STCDSS requesting a comprehensive assessment and evaluation of the challenges encountered in the operationalization of the African Standby Force (ASF) and its Rapid Deployment Capability (RDC);
2. **DECIDES** in principle to immediately establish, as a transitional arrangement and pending the full operationalization of the ASF and its RDC, an African Capacity for Immediate Response to Crises, to provide the AU with a flexible and robust force, made up of military/police capabilities, force enablers and multipliers, equipment and resources to be voluntarily provided by Member States on the basis of their willingness and capabilities, to be deployed very rapidly to effectively respond to emergency situations, within the framework of the African Peace and Security Architecture (APSA);
3. **DECIDES FURTHER** that the contributions, referred to in paragraph 2 above, will be promptly provided by individual Member States and/or by the regional capabilities being developed within the framework of ASF;
4. **DECIDES ALSO** that Member States willing and ready to immediately contribute military and police capabilities, force enablers and multipliers, as well as equipment and financial resources and any other necessary assets, or make a contribution in any specific area among the above, will make appropriate notification to the AU Commission at their earliest convenience;
5. **DETERMINES** that this strategic endeavour of historic value and scope, aimed at helping in bringing about African solutions to Africa's problems, calls for continued commitment and involvement of Heads of State and Government themselves;
6. **REQUESTS** the Chair of the Union and the Chairperson of the Commission to undertake appropriate consultations to build the broadest possible support and adherence to the implementation of this decision;
7. **REQUESTS** the Commission to work out the detailed modalities for the operationalization of the ACIRC and to submit recommendations in this respect to a meeting of the Specialized Technical Committee on Defense, Security and Safety (STCDSS) to be held not later than the last quarter of 2013;
8. **FURTHER REQUESTS** the Chairperson of the Commission to submit to it a report on the implementation of this decision at its next ordinary session, in January 2014.

**DECLARATION ON THE REPORT OF THE PEACE AND SECURITY COUNCIL ON
ITS ACTIVITIES AND THE STATE OF PEACE AND SECURITY IN AFRICA
Doc. Assembly/AU/5(XXI)**

The Assembly,

Having reviewed the state of peace and security on the continent and the steps we need to take to hasten the attainment of our common objective of a conflict-free Africa, on the basis of the report of the Peace and Security Council on its activities and the state of peace and security in Africa;

Welcoming the significant progress made in the operationalization of the African Peace and Security Architecture (APSA), the adoption of a number of instruments on democracy, human rights and good governance, which represent a consolidated framework of norms and principles towards the structural prevention of conflicts, the advances in conflict resolution and peace building on the continent, as well as the partnerships built with relevant international stakeholders;

Noting, however, the challenges that continue to be encountered in the full operationalization of the APSA, including key components such as the African Standby Force (ASF), continued prevalence of conflict, insecurity and instability in some parts of the continent, with its attendant humanitarian consequences and socio-economic impact, as well as the resurgence of unconstitutional changes of Government, the frequent recourse to armed rebellion to further political claims, the threats posed by terrorism, hostage taking and the attendant payment of ransoms, illicit proliferation of arms, transnational organized crime, drug trafficking, piracy, and illicit exploitation of natural resources to fuel conflicts;

Noting also the need for increased funding from within the continent to assert Africa's ownership and leadership, as well as the challenges faced in building innovative and flexible partnership with the United Nations and other stakeholders;

Stressing that the 50th anniversary of the OAU/AU offers a unique opportunity to review progress made and challenges encountered, as well as to chart the way forward, and *reiterating*, in this respect, our determination to address decisively the scourge of conflict and violence on our continent, with the view to bequeath to the next generation of Africans a prosperous continent at peace with itself:

1. **RECOMMIT OURSELVES** to accelerate the full operationalization of the APSA, including refinement, where necessary, of existing provisions to facilitate their implementation. **WE CALL FOR** the strengthening of the relations between the AU and the Regional Economic Communities/Regional Mechanisms for Conflict Prevention, Management and Resolution (RECs/RMs), notably through the effective implementation of the relevant provisions of the PSC Protocol and the Memorandum of Understanding between the AU and the RECs/RMs, bearing in mind AU's primary responsibility in the maintenance of peace and security in Africa. **WE ENDORSE** the establishment of the Pan-Wise network comprising the

Panel of the Wise, similar structures within the RECs/RMs and all other African actors contributing to peace-making through preventive action and mediation, as agreed to during the second retreat of these organs held in Addis Ababa from 11 to 12 April 2013;

2. **UNDERTAKE** to make renewed efforts to address the root causes of conflicts in a holistic and systematic manner, including through implementing existing instruments in the areas of human rights, rule of law, democracy, elections and good governance, as well as programmes relating to cooperation, human development, youth and employment. In this respect, **WE CALL ON** all Member States that have not yet done so, to become parties to these instruments, by the end of 2013, and **REQUEST** the Commission to review thoroughly the implementation status of these instruments and programmes and to submit to the Assembly, by January 2014, concrete proposals on how to improve compliance;
3. **COMMIT OURSELVES**, within the framework of the African Solidary Initiative, to extend full support to those African countries emerging from conflict, to assist them to consolidate their hard-won peace and avoid relapse into violence. **WE LOOK FORWARD** to the convening of the planned African Solidary Conference (ASC), in Addis Ababa, in September 2013, and **COMMIT** to making significant pledges on that occasion;
4. **STRESS** the need for all Member States to extend full cooperation and support to the PSC, bearing in mind that, in carrying out its duties under the Protocol, the PSC acts on behalf of the entire membership of the AU;
5. **COMMIT** ourselves to increase substantially our contribution to the Peace Fund, for Africa truly to own the efforts to promote peace, security and stability on the continent. In this respect, we request the Commission to submit concrete proposals to the Assembly, in January 2014, including with respect to the statutory transfer from the AU regular budget to the Peace Fund. In the meantime, **WE ENCOURAGE** all Member States to make exceptional voluntary contributions to the Peace Fund on the occasion of the OAU Golden Jubilee, and **REQUEST** the Commission to report, by January 2014, to the Assembly on Member States response to this appeal;
6. **STRESS THE NEED** to build an innovative, flexible action-oriented and balanced partnership with the international partners, notably the United Nations, to ensure that Africa's concerns and positions are adequately taken into account by the Security Council when making decisions on matters of fundamental interest to Africa, **REITERATE** the terms of the communiqué issued by the PSC at its 307th meeting held on 9 January 2012, and **REQUEST** the PSC to convene an open session at Summit level, in order to review the partnership with the United Nations in light of the challenges encountered recently regarding the situation in Mali and other issues related to peace and security on the continent;

7. **CALL ON** the African civil society to continue to play its positive role in promoting peace, security and stability as called for by the PSC Protocol and **REQUEST** the Commission and the PSC to take all necessary steps to enhance interaction with civil society;
8. **WELCOME** the progress made in the relations between Sudan and South Sudan, with the signing of the Implementation Matrix for the Agreements signed of 27 September 2012 and **CALL** for a transparent inquiry into the killing of the paramount Chief of the Ngok Dinga Community in Abyei, as well as the strengthening and acceleration of the process of resolving the Abyei issue; in Somalia, with the consolidation of the security and political gains recorded over the past few years; the Great Lakes Region, with the signing of Peace, Security and Cooperation Framework; and in Mali, with the liberation of the northern part of the country and on-going efforts for the holding of elections. **WE CALL ON** all concerned stakeholders to spare no efforts in consolidating these achievements, and addressing the challenges at hand, in line with the relevant PSC communiqués. **WE** also **WELCOME** the progress made in peace building and post-conflict recovery in Burundi, Comoros, Côte d'Ivoire, Democratic Republic of Congo, Liberia and Sierra Leone, **ENCOURAGE** the countries concerned to pursue their efforts and **CALL ON** fellow African countries and the rest of the international community to continue assisting them in their efforts;
9. **REITERATE** the AU's concern at the continued challenges in the peace processes between Eritrea and Ethiopia and the relations between Eritrea and Djibouti, and **REQUEST** the Chairperson of the Commission to take appropriate steps to facilitate progress in these situations, in line with the powers entrusted to her by the PSC Protocol and earlier relevant decisions of the Assembly, and to report to the PSC, no later than October 2013, on the steps taken in this regard. **WE ALSO REITERATE OUR CONCERN** at the continued impasse in the conflict in Western Sahara, and **CALL FOR** renewed efforts based on relevant OAU/AU and UN resolutions, in order to overcome this impasse;
10. **ALSO EXPRESS CONCERN** at the prevailing situation in Madagascar and fully support the PSC and SADC decisions on the issue of candidatures to the forthcoming presidential elections. **WE CONDEMN** the illegal seizure of power in Central African Republic and the serious violations of human rights committed by the Seleka rebel group and in this regard, **COMMEND** the efforts of the Economic Community of Central African States (ECCAS), **ENDORSE** the PSC decisions on the matter and **CALL FOR** renewed efforts to restore security and ensure the return to constitutional order, bearing in mind the relevant PSC decisions and conclusions of the inaugural meeting of the International Contact Group on CAR (ICG-CAR). **WE STRESS THE NEED** for the early return to constitutional order in Guinea Bissau, noting with satisfaction ECOWAS, AU, CPLP, EU and UN coordinated efforts;

11. **REITERATE** our support to the sovereignty of the Union of the Comoros over the island of Mayotte, as well as the sovereignty of the Republic of Mauritius over the archipelago of Chagos;
12. **REQUEST** the PSC to actively keep under review the implementation of the Declaration and Plan of Action adopted by the Special Session on the Consideration and Resolution of Conflicts in Africa, held in August 2009, at its Summit meeting referred to in paragraph 6 above;
13. **PLEDGE OUR FULL COMMITMENT** to the effective implementation of this Declaration and to adopting new measures, as and of necessary, so as to open a new chapter in our collective action in favor of peace, security, stability and shared prosperity throughout Africa and the rest of the world.

**DECLARATION ON THE TERRORIST ATTACKS IN NIGER AND/ON THE
SOLIDARITY OF AFRICA WITH THE REPUBLIC OF NIGER**

The Assembly,

Deeply shocked and aggrieved by the two heinous terrorist attacks against the public and industrial establishments in Agadez and Arlit in Niger on 23 May 2013;

Recognising the commitment and determination of Niger to fight against the scourges of terrorism and cross border criminality as well as its invaluable contribution to the African led International Support Mission in Mali (AFISMA);

Recalling the AU instruments relating to the prevention and fight against terrorism, ***reaffirming*** the need to pursue and intensify efforts to face the scourges of terrorism and trans-national crimes, stressing, in this regard, the importance of enhancing cooperation between the Member States as regards security and bearing in mind the seriousness of the terrorist threat in the Sahelo-Saharan Region;

1. **STRONGLY CONDEMNS** the treacherous terrorist attacks perpetrated in Agadez and Arlit, **EXPRESSES** the solidarity of Africa with the people and Government of Niger and **ASSURES** them of its full support in their efforts to fight against terrorism and organised transnational crimes;
2. **CONVEYS** its heartfelt condolence to the families of the victims of the terrorist attacks in Agadez and Arlit and **EXPRESSES** its wishes for the prompt recovery of the injured persons;
3. **WELCOMES** the renewed commitment and courageous actions of President Mahamadou Issoufou for the promotion of peace, security and stability in the Sahelo-Sahara Region as demonstrated particularly by the remarkable contribution of Niger to AFISMA;
4. **STRESSES ONCE AGAIN** the need for enhanced cooperation and coordination between the AU Member States in the fight against the scourge of terrorism and organised transnational crimes and **ENCOURAGES**, in this regard, the Commission to pursue the efforts initiated with the countries of the Sahelo-Saharan Region, with the organisation on 17 March 2013 of the Ministerial Meeting in Nouakchott and that of the Heads Security and Intelligence Services in Bamako on 18 April 2013 and **LOOKS FORWARD** with interests to the next similar meeting scheduled in June 2013;
5. **REQUESTS** the Commission, in cooperation with the African Centre for Studies and Research on Terrorism (CAERT) and the Committee of African Security and Intelligence Services (CISSA), to send urgently an assessment mission to Niger to determine the modalities for assistance to that country and report to the meeting of the Heads of Security and Intelligence Services scheduled in June 2013;

6. **APPEALS** to all Member States which have not yet done so to become party to all the African and International Legal Instruments relating to the prevention and elimination of terrorism and to take all appropriate measures for cooperation and mutual assistance in this field.

**RESOLUTION ON THE LIFTING OF THE ECONOMIC AND TRADE
EMBARGO IMPOSED ON THE REPUBLIC OF CUBA BY
THE UNITED STATES OF AMERICA**

We, the Heads of State and Government of the African Union meeting in our Twenty-First Ordinary Session in Addis Ababa, Ethiopia from 26 to 27 May 2013;

Recalling Resolution **Assembly/AU/Res.1(XV)** adopted by our Assembly at its 15th Ordinary Session held in **Kampala, Uganda, on 27 July 2012**, **Resolution Assembly/AU/Res.(XVII)** adopted at its 17th Ordinary Session held in **Malabo, Equatorial Guinea, on 1 July 2011**, and **Resolution Assembly (AU/Res.1(XIX)** adopted at its 19th Ordinary Session held in Addis Ababa, Ethiopia, in July 2012 and in particular, the calls made to the Government of the United States of America to lift the unjustifiable and long-standing economic and trade embargo imposed on the Republic of Cuba to enable it enjoy all the legitimate prospects for sustainable development;

Reaffirming our commitment to further strengthen Africa-Caribbean relations as expressed by the Assembly of Heads of State and Government in Kampala, Uganda in June 2010;

Also Reaffirming our full support for **the Resolution of the General Assembly of the United Nations on the**: “Necessity of ending the economic, financial and commercial embargo imposed by the United States of America against Cuba”;

REITERATE our call and, once again **INVITE** the Government of the United State of America to lift long-standing and unjustifiable economic and trade embargo imposed on the Cuban people.