

Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA)

CSSDCA - DRAFT MEMORANDUM OF UNDERSTANDING ON SECURITY, STABILITY, DEVELOPMENT AND COOPERATION IN AFRICA

PREAMBLE

We the Member States of the OAU/AU;

Recalling the objectives and principles of the Constitutive Act of the African Union;

Conscious of the importance of the Conference on Security, Stability, Development and Cooperation (CSSDCA) and New Partnership for Africa's Development (NEPAD), and the convergence and complementarity of their objectives in the realization of the goals of the Constitutive Act of the African Union;

Emphasizing the interdependence of security and stability on the one hand and development and cooperation on the other;

Recalling the CSSDCA Solemn Declaration adopted by the 36th Ordinary Session of the Assembly of Heads of States and Government in Lome, Togo, in July 2000;

Affirming that in the exercise of our sovereign right to determine our laws and regulations, we shall conform to our legal obligations under the OAU Charter, the Treaty Establishing the African Economic Community (AEC) and the Constitutive Act of the African Union, having due regard to implementing the CSSDCA Solemn Declaration;

Reaffirming our commitment to the maintenance of security and stability on the continent;

Recognizing that this commitment, which reflects the interests and aspirations of African peoples, constitutes for each participating State a present and future responsibility, heightened by experience of the past;

Desirous to give effect and expression, by all appropriate ways and means to the duty of ensuring security and stability arising from the generally recognized principles and rules of international law and those obligations arising from treaties or other agreements, in accordance with internationally accepted norms, to which we are parties;

Resolved to subscribe to a set of core values and key commitments to buttress the process of security and stability in Africa and reflecting the common will to act, in the application of the principles set out in the CSSDCA Solemn Declaration;

AGREE AS FOLLOWS:

I. CORE VALUES

To respect and abide by the following core values, all of primary importance, in guiding our relations: -

Every African State is sovereign. Every State respects the rights inherent in the territorial integrity and political independence of all other African States, without prejudice to the provisions of Article 4 of the AU Constitutive Act, sections (d) and (h) and other relevant international instruments;

The centrality of security as a multi-dimensional phenomenon that goes beyond military considerations and embraces all aspects of human existence, including economic, political and social dimensions of individual, family, community and national life;

Peace and security are central to the realization of development of both the state and individuals. Thus the security of the African people, their land and property must be safeguarded to ensure stability, development and cooperation of African countries;

The security of each African country is inseparably linked to that of other African countries and the African continent as a whole;

The plight of African Refugees and Internally Displaced Persons constitutes a scar on the conscience of African governments and people;

Africa's strategic and natural resources are the property of the people of Africa and the leadership should exploit them for the common good of the people of the continent;

Uncontrolled spread of small arms and light weapons as well as the problem of landmines, constitute a threat to peace and security in the African continent;

Good governance including, accountability, transparency, the rule of law, elimination of corruption and unhindered exercise of individual rights as enshrined in the African Charter on Human and People's Rights and those of the Universal Declaration of Human Rights is a pre-requisite for sustainable peace and security in Africa as well as a necessary condition for economic development, cooperation and integration;

A fundamental link exists between stability, human security, development and cooperation in a manner that each reinforces the other;

Sustainable Stability in Africa demands the establishment and strengthening of democratic structures and good governance based on common tenets;

The rejection of unconstitutional changes of government in any African country as a threat to order and stability in the African continent as a whole;

Respect and promotion of human rights, the rule of law and equitable social order as the foundation for national and continental stability;

The eradication of corruption, which undermines Africa's quest for socio-economic development and the achievement of sustainable stability in the continent;

No political organisation should be created on the basis of religious, sectarian, ethnic, regional or racial considerations. Political life should be devoid of any extremism;

The conduct of electoral processes in a transparent and credible manner and a concomitant obligation by the parties and candidates to abide by the outcome of such processes in order to enhance national and continental stability;

Development is about expanding human freedoms. The effort of Member States at achieving development is aimed at the maximum expansion of the freedoms that people enjoy;

The freedoms that Africans seek and deserve, inter alia, include freedom from hunger, freedom from disease, freedom from ignorance and access to the basic necessities of life. These freedoms can best be achieved through expansion of the economic space including the rapid creation of wealth;

Economic development is a combined result of individual action. Africans must be free to work and use their creative energies to improve their well-being in their own countries. The state's involvement in the activities of individual economic actors should be supportive of individual initiatives;

Acknowledgement of the important role of the state in economic development not only in providing regulatory framework but also through active cooperation with the private sector to promote economic growth;

All priorities in economic policy making shall be geared towards eliminating poverty from the continent and generating rapid and sustainable development in the shortest possible time;

Cooperation and integration in Africa is key to the continent's socio-economic transformation and effective integration into the world economy;

Harmonization and strengthening of the Regional Economic Communities (RECs) in key areas as an essential component of the integration process, through the transfer of certain responsibilities as well as effective reporting and communication structure involving the RECs in continental initiatives;

Strong political commitment including the involvement of all stakeholders, the private sector, civil society, women and youth as a fundamental principle for the achievement of regional economic integration and development;

Investment in Science and Technology as a fundamental input into the development of all sectors and raising living standards.

II. COMMITMENTS TO GIVE EFFECT TO THE CORE VALUES

To give effect to the above core values, we undertake to:

Develop a collective continental architecture for promoting security and inter-African relations, that goes beyond the traditional military definition and embraces imperatives pertaining to human security, principles relating to good governance, the promotion of democracy and respect for human rights.

Promote a policy of good neighbourliness as a foundation for enhancing inter-state relations.

Recommit to the adoption of a comprehensive response for the prevention and resolution of conflict, with emphasis on the prevention and containment of conflicts before they erupt into violent confrontation and the creation of an African capacity for regional peace-support operations as a measure for conflict resolution.

Strengthen, consolidate and sustain regional and continental conflict management mechanisms, with primary emphasis on the AU Mechanism for Conflict Prevention, Management and Resolution and its early warning system.

Establish a strong cooperation framework for security between the Regional Economic Communities (RECs), the AU and the United Nations (UN).

Undertake to address border problems that continue to threaten the prospects of peace and security in Africa.

Create and strengthen disaster management mechanisms at national, regional and continental levels.

Implement the OAU Convention on the Prevention and Combating of Terrorism adopted in Algiers in 1999.

Develop additional protocols, as appropriate, as well as an Action Plan to combat the occurrence and spread of terrorism in all its forms and manifestations.

Develop policies to combat the illicit proliferation, trafficking and circulation of small arms and light weapons in Africa.

Take appropriate measures for the implementation of relevant treaties on landmines, including the Ottawa Treaty on anti-personnel mines and the Kempton Park Plan of Action, as well as develop policies pertaining to the prohibition of landmines in Africa and strengthen the African capacity for landmine clearance.

Implement policies and agreements designed to eliminate Mercenarism in Africa and other forms of interventions in the internal affairs of African states including the illegal exploitation of the continent's natural resources, which contributes to the escalation of conflicts on the continent .

Ensure the delimitation and demarcation of the borders of Member States in a peaceful manner.

Strengthen the mechanisms for the protection of refugees as provided for in the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa through the full implementation of the Comprehensive Plan of Action drawn up in Conakry and adopted by the Council of Ministers in Lomé, Togo, in July 2000, with the support and cooperation of the UN and other international agencies.

Develop national, regional and continental strategies to eradicate criminal organisations and syndicates operating in Africa and establish joint cross-border operations to investigate and apprehend criminal elements and stop money laundering, drug and human trafficking.

Adhere to the fundamental tenets of a plural democratic society as contained in the 1990 Declaration on the Political and Socio-Economic Situation in Africa and the Fundamental Changes Taking Place In the World, the 1995 Cairo Agenda for Action, the 1999 Grand Bay (Mauritius) Declaration and Plan of Action on Human Rights in Africa, the Lomé Declaration on Unconstitutional Changes and the CSSDCA Solemn Declaration of 2000, amongst others. These should include; promulgated constitution with a Bill of Rights' provision; free and fair elections at constitutionally stipulated intervals; multiparty political systems; separation of powers; an independent judiciary; a free press and freedom of expression and assembly; effective military subordination to civilian authority, and accountability and popular participation in governance.

Uphold the principle of constitutionalism so that the political class and civil society at all levels, commit themselves to abiding by and respecting the provisions of the constitutions of their states and guarantee the rights of leaders after they vacate office.

Ensure the independence of the judiciary through an effective separation of powers, constitutionally guaranteed tenure of office and adequate funding.

Accept the necessity for significant improvement in the African electoral process including the establishment of truly independent national electoral Commissions and other appropriate mechanisms to ensure transparency, fairness, and credibility of elections.

Observance, protection and promotion of the human rights of all Africans in accordance with the provisions of the African Charter on Human and Peoples Rights, and the Grand Bay Declaration and Plan of Action on Human Rights in Africa including the speedy establishment of the African Court on Human and People's Rights by signing and/or ratification and respect of this legal instrument as well as of all international instruments on human rights.

Strengthen, improve and practice good governance in public and private domains in Africa to ensure adherence to the rule of law; strict accountability by all and transparency in public affairs as called for in the 1995 Cairo Agenda for Action, and other decisions of the Assembly of Heads of State and Government.

Create conditions for economic stability devoid of economic mismanagement with focus on human security and poverty eradication as called for in the 1995 Cairo Agenda for Action and the Treaty Establishing the African Economic Community (Abuja Treaty).

Encourage and provide enabling conditions for popular participation by all African people in the governance and development of their countries as a basis of a people's empowerment to direct their socio-economic transformation.

Provide appropriate conditions for effective participation at national and continental levels by civil society organizations, in particular women's groups, trade unions, the youth and professional associations as envisaged in the Constitutive Act of the African Union.

Develop institutional and administrative capacity for dealing effectively with corruption and criminality, both of which threaten the stability of Africa.

Establish impartial civil service.

Provide Central banks with the necessary autonomy to enable them to perform their roles effectively as vital structures for economic stability;

Develop a shared vision on development, regional cooperation and integration;

Pursue accelerated economic development of our countries as the centre of national policies;

Promote sustainable economic growth and development through the diversification of the production structure of our economies;

Create a conducive environment to encourage domestic savings, reverse capital flight and attract foreign savings;

Ensure popular participation, equal opportunity and equitable access to resources for all our people as the basis of our development objectives and strategies;

Promote partnership, trust and transparency between leaders and citizens as critical elements of sustainable development, based on mutual responsibilities and a shared vision, and in particular, establish a conducive environment for the private sector to generate wealth;

Aim at a shared economic growth that provides opportunities to the poor and the disadvantaged groups in society, including women and youth;

Work out and implement the follow-up and evaluation of reproductive health policies and programmes in order to guarantee a better balance between population and economic growth;

Develop and adhere to a code of conduct on good governance aimed at establishing democratic developmental states across the continent to foster cooperation and integration;

Invest in human resource development, particularly in the quality of education, and promote cooperation between African centres of excellence and Research and Development institutions as well as reverse the brain drain;

Promote and protect the rights and welfare of the African child;

Provide political support for regional integration by making appropriate institutional arrangements, including legislative measures, to support integration;

Provide adequate financial support for regional integration and cooperation by incorporating in our annual national budgets, Member States contribution to RECs and AU, and/or putting in place a self financing mechanism to ensure their efficient functioning;

Involve all national stakeholders in the regional integration process including giving them an appropriate role;

Participate fully in infrastructure development programmes pertaining to regional integration process;

Develop and adhere to a common industrial strategy that takes into account the need for a fair distribution of industries within the RECs;

Put in place mechanisms for African countries that are in a position to do so to provide additional support to the LDCs in Africa regarding their developmental efforts;

Consolidate the links between South–South and North–South technical cooperation through triangular models, within the spirit of enhancing collective self-reliance in Africa;

Continue to present a unified voice in all international negotiations including those on market access, debt relief, FDI, ODA, as well as the setting up of the World Solidarity Fund.

III. KEY PERFORMANCE INDICATORS

We also agree to adopt the following key performance indicators to evaluate compliance with the commitments we have undertaken in the present Memorandum of Understanding: -

Common Definition of Security

Establish by 2005 a framework for codifying into national laws and legislations the concept of human security as contained in the CSSDCA Solemn Declaration, in order to build confidence and collaborative security regimes at national, regional and continental levels.

Non-Aggression Pacts

Conclude and ratify bilateral and regional non-aggression pacts (where they do not yet exist) by 2006 on the basis of commonly agreed guidelines.

Africa's Common Defence Policy

Define by 2005, in accordance with Article 4 (d) of the Constitutive Act of the African Union, Africa's common defence policy in order to strengthen Africa's capacity for dealing with conflicts including dealing with external aggression.

Strengthening Africa's Capacity for Peace-Support Operations

Establish by 2003, the modalities or mechanisms for implementing the provisions of Article 4(h) and (j) of the Constitutive Act of the African Union, with emphasis on the enhancement of the capacity of the Peace and Security Council to deal with issues relating to peace-support operations, including standby arrangements that were recommended by African Chiefs of Defence Staff.

National and Regional Crime Reduction and Prevention Programmes

Establish by 2005 and strengthen in places where they already exist national and regional crime reduction and prevention programmes to deal effectively with the scourge of criminality in Africa. Such programmes should, through effective information sharing system, promote, strengthen and

foster joint strategies for the management and control of all forms of crimes within the region. The programme should incorporate a mechanism for annual performance assessment. By 2005, establish effective monitoring of crime statistics by policing agencies in each country.

Small Arms and Light Weapons

Take appropriate measures for the effective implementation of the Bamako Declaration on an African Common Position on the illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons and the UN Programme of Action to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects. In particular, Member States must take the following steps by 2003:

Establish, where they do not exist, national and regional coordination agencies or frameworks and institutional infrastructure for policy guidance, research and monitoring.

Adopt the necessary legislative and other measures to establish as criminal offences, the illicit manufacture, possession and trade in small arms and light weapons.

Adopt appropriate national legislations or regulations to prevent the breaching of arms embargo as decided by the UN Security Council.

Establish at national, regional and continental levels, a framework for regular dialogue with arms manufacturers and suppliers with a view to checking illicit supply of Small Arms and Light weapons.

Institute, by 2005, regional and continental conventional arms registers.

Convene, by 2004, the Second Ministerial Conference on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons to review the status of implementation of the Bamako Declaration and the UN Program of Action. Heads of RECs should also provide status reports on the implementation of their regional programmes.

National Institutions for Prevention and Management of Conflicts

Establish by 2004, national institutions or mechanisms for prevention, management and resolution of conflicts at community and national levels with active involvement of Civil Society Organisations (CSOs) and Community Based Organisations (CBOs). It should include Emergency Relief Assistance and confidence building measures between ethnic, racial and national groups. Such institutions could be national focal points for regional and continental early warning.

Early Warning System

Operationalize by 2005, requisite infrastructure and capacity for effective Early Warning System to deal with conflicts in Africa. This should be based on a model of indicators that provides a Vulnerability Index of African countries, which would serve as an objective basis for early warning action. That mechanism should incorporate effective interlinkages and coordination at regional, continental, and international levels. As part of this process, Member States undertake to facilitate early political action aimed at the prevention of conflicts.

Resource Based Wars

Given the links between illegal exploitation of resources and conflicts, the Peace and Security Council should develop by 2005, a framework for addressing the problem of illegal exploitation of resources in Africa and combating, in a concerted manner, all networks plundering the resources of Africa and fuelling conflicts.

African Borders

In conformity with the Cairo Summit Decision on borders, conclude by 2012, with the assistance of the UN cartographic unit where required, the delineation and demarcation of African borders, where it has not been done, to strengthen peaceful inter-state relations. The outcome of such exercises should be deposited with the African Union and the United Nations. Prior to 2012 when the process should be completed, there should be bi-annual review of the state of implementation.

Refugees

By 2003, all OAU/AU Member States that have not done so, should ratify or accede to the 1969 OAU Convention on Refugees and take appropriate measures to adopt the necessary national legislations and/or administrative measures to give full effect to its provisions.

By 2005, the OAU/AU should complete the review of the legal scope of the 1969 Convention to adapt it to current circumstances and to strengthen the Comprehensive Implementation Plan adopted in Conakry 2000. In particular, the supervisory mechanism and oversight functions of the OAU/AU should be strengthened to ensure that Member States provide the Secretariat with information and statistics concerning the condition of refugees, human rights protection and mechanisms for mitigating refugee circumstances, separating armed elements from the refugee population and devising measures to compel rebel groups to respect the rights of refugees, returnees and displaced persons in territories under their control.

Confidence Building Measures

Strengthen as soon as possible, existing confidence building measures through, among other means, annual border post activities, joint border patrols, joint border development and management, regular consultations amongst security agencies operating along the borders, joint training programmes for personnel operating at the borders, including workshops and seminars to educate them on regional and continental agreements on free movement of persons, goods and services and stabilising measures for localised crisis situations for inter-state relations.

Terrorism

All Member States to sign and ratify the OAU Convention on the Prevention and Combating of Terrorism of 1999 so that it can enter into force by the end of 2002 and fully implement the obligations entered into therein by 2004.

To facilitate a comprehensive response to the problem of terrorism in Africa, consider by 2003, an Action Plan and a Protocol which will provide for, among other things, national, regional and continental strategies to eradicate criminal organisations and syndicates operating in Africa, effective monitoring of the movement of persons and goods across borders by utilising crime analysis and information gathering capability and establishment of joint border operations to investigate and apprehend criminal elements and to stop money laundering, drug and human trafficking.

Tenets of Democratic Society

By 2004 adopt, and in some cases recommit, to the fundamental tenets of a democratic society as stipulated in the CSSDCA Solemn Declaration as an African common position, namely, a Constitution and a Bill of Rights provision, where applicable, free and fair elections, an independent judiciary, freedom of expression and subordination of the military to legitimate civilian authority; rejection of unconstitutional changes of government; and implement these principles by 2005, where they are not already applicable.

Democratisation and Good Governance

Elaborate by 2004 principles of good governance based on commonly agreed set of indicators to be included in national legislations, including decentralization of administration and effective, transparent control of state expenditure. By 2003, all African countries should enact legislation to

provide for the impartiality of the public service, the independence of the judiciary and the necessary autonomy of public institutions such as the Central bank and the office of the Auditor-general.

Limitation to the Tenure of Political Office Holders

Adopt by 2005 a commonly derived Code of Conduct for Political Office Holders that stipulates among others, an inviolate constitutional limitation on the tenure of elected political office holders based on nationally stipulated periodic renewal of mandates and governments should scrupulously abide by it.

Anti-Corruption Commission

Adoption, signing and ratification of the OAU Convention on Combating Corruption and establish by 2004 in each African country (where it is not presently in existence) an independent anti-corruption Commission, with an independent budget that must annually report to the national parliament on the state of corruption in that country.

Independent National Electoral Commissions

Establish by 2003 where they do not exist, independent national electoral commissions and/or other appropriate mechanisms and institutions to ensure free and fair elections in all African countries.

Election Observation

Adopt and standardise by 2003, guidelines for independent and effective observations of elections in AU Member States, with the provision of an effective electoral unit within the AU Commission. The guidelines must include provisions for strengthening civil society and local monitoring groups in individual African countries and the continent as a whole to support the process of ensuring free and fair elections.

The Commission should be gradually equipped and funded to conduct independent election observation by 2003. The reports of the various election observation teams of the AU should be made public.

Campaign Finance Reforms

Conclude by 2004 appropriate arrangements for the institution of campaign finance reform including disclosure of campaign funding sources and for proportionate state funding of all political parties, to ensure transparency and accountability in electoral contests.

Inclusive Systems of Governance

Conclude by 2004 appropriate arrangements, including electoral reforms, for the institution of more inclusive systems of government.

Popular Participation

Implement the provisions of the Charter for Popular Participation for development and transformation in Africa, adopted by the Assembly of Heads of State and Government in 1990 by creating more enabling conditions for increased participation of women, the youth and civil society organizations.

Political Parties

Adopt by 2004 enabling legislations on the formation and operation of political parties to ensure that such parties are not formed and operated on the basis of ethnic, religious, sectarian, regional or racial extremism and establish a threshold of voter support as criteria for public funding, without compromising freedom of association and the principle of multi-party democracy.

Rights of the Child

By 2003, all Member States should sign and ratify the African Charter on the Rights and Welfare of the Child and by 2005, fully implement the obligations entered into therein.

By 2003, all Member States to ratify the UN Optional Protocol to the Convention on the Rights of the Child on the involvement of Children in Armed Conflict and implement the Protocol by 2005, including effective plans of action, in regions where they do not exist, for the demobilization of child soldiers.

Enact Key Elements of Bill of Rights

By 2004, pending inclusion of a Bill of Rights, where applicable, in every constitution in Africa, all Member States should incorporate into national codes or laws, where it does not exist, provisions of habeas mandamus and habeas corpus to protect every citizen of Africa from arbitrary arrest or detention without trial and other forms of cruel and degrading treatment and put in place mechanisms for the monitoring and effective implementation of these codes.

Observance, Protection and Promotion of Human Rights

By 2003, all African countries that have not done so, should ratify all provisions of the Charter on Human and People's Rights, as well as all other relevant international instruments for the protection and promotion of human rights; and vigorously proceed with the implementation of such requirements including all provisions of the Charter on Peoples and Human Rights and the Grand Bay Declaration and Plan of Action on Human Rights in Africa, including the provision of required resources for the work of these bodies.

By 2004, all African countries should submit annual reports, on the status of human and peoples' rights within their countries, to the African Commission of Human and Peoples Rights. The African Commission on Human and Peoples' Rights should be provided with adequate resources to enable it to produce comprehensive, independent and publicly available annual surveys by 2006.

Status of Women

By 2005, take measures to promote equality of women, and ensure the representation of women in all national institutions, as well as abrogate discriminatory laws in African countries against women. They should also adopt, sign and ratify the Protocol to the African Charter relating to the Rights of Women in Africa as well as other instruments and mechanisms to guarantee and preserve the rights of women.

By 2005, all Member States to sign, ratify and accede to the UN Optional Protocol to the Convention on the Elimination of all forms of Discrimination against Women (CEDAW).

Strengthen the Criminal Justice System

Set up by 2005 in every African country an independent Commission to determine measures for improving prison conditions in Africa, and set up at the same time (where it does not exist), a Parole Board to help reduce congestion in African prisons.

Economic Growth

Increase the rate of growth of the economies of Africa by an average annual growth rate of 7%, which is the minimum needed to reduce poverty as stipulated in the International Development Goals and reaffirmed in NEPAD and in previous agreements and commitments.

Savings and Investments

Increase the savings and investment ratio to the level needed to achieve the 7% growth rate mentioned above.

Capital Flight

Reduced levels of capital flight by half by 2008 through appropriate policy measures, with a view to eliminating it by 2015.

Foreign Direct Investment

Increased Africa's share of Foreign Direct Investment (FDI) inflows from the current 1% of total global FDI, to a minimum of 2% in 5 years and increase by 2% every year until it reaches 10% of total global FDI flows.

Infrastructure

Increased investment in physical infrastructure, (transport and telecommunications) as a ratio to GDP to the level that obtains in middle-income countries and social infrastructure to about 10% of GDP by the year 2020 and the development and interconnection of intra-African transport and communication networks and services.

Common Standards

Development of a common system of standards and specifications to help foster intra-African exchange of goods and services.

Industrialization

Increased value added in manufacturing in the Continent from the current 17% to 25% by the year 2010. For countries that have not achieved the average African level, to double the level of manufacturing every 10 years till it reaches the average for African countries.

Intra-African Trade

Increased share of intra-African trade to 20% of the total trade of Member States by 2005 in accordance with various resolutions of OAU and RECs.

Trade

Increased Africa's share of world trade from its current 2% level to 4% by 2010, as well as diversified Africa's exports to reflect this change in the structure of production.

Agricultural Productivity

Increased agricultural productivity at a rate twice that of population growth.

Poverty Alleviation and Equitable Income Distribution

Attainment of the International Development Goals, as recognized in the NEPAD, of reducing the proportion of people living in extreme poverty by half by the year 2015.

Customs Union and Common Market

Establishment of a firm and binding commitment by all Member States for all the RECs to attain full Customs Union status by 2005, and full Common Market status by 2010, in line with AU integration objectives and the call by the CSSDCA Solemn Declaration to work towards a shortened timetable for the full realization of the African Economic Community.

Policy Harmonization and Market Integration

Harmonized macroeconomic policies including comprehensive convergence criteria and sectoral policy coordination to be completed by 2005 in all RECs, in order to achieve the goal of 7% GDP growth rate annually as called for in the NEPAD – within the context of integration arrangement.

Investment Code

Conclusion and adoption by 2005 of a single investment code in each REC to provide a common enabling environment, in conformity with the projected Customs Union.

Physical Integration and Infrastructure

Adoption by 2005, in regions where they do not exist, of binding Agreements and protocols on all the major physical integration projects that have been identified, including priority access for landlocked countries and the participation of all countries in projects such as the Regional African Satellite Communicating System (RASCOM) being one of the vital African projects prior to the planned launching of RASCOM by the last quarter of 2002. Similarly the implementation by 2005 of the Yamoussoukro Declaration concerning the Liberalization of Air Transport Markets in Africa.

Industrial Policy

Binding agreement reached by 2005 on common industrial policy within RECs.

Common Natural Resources

Early take off of the African Energy Commission (AFREC) to assure the completion of the energy development plans by 2003 bearing in mind the NEPAD target of 35% access to reliable and affordable commercial energy supply for the African population in 20 years; and Encouragement of all RECs to conclude plans, binding agreements and protocols by 2003 for the development of other projects on the utilization of common natural resources. In this connection, immediate steps should be taken to mobilize African entrepreneurs to establish multinational companies for the execution of large scale projects in Africa.

Rationalization of RECs

Complete by 2005, the harmonization and rationalization of all RECs, in order to facilitate convergence into the African Union.

Intra RECs Cooperation

Strengthened framework and programme for deepening horizontal interactions among RECs starting 2002 in fulfillment of the Protocol on relations between the AEC and the RECs, and, in line with the Lusaka Summit decision on the establishment of the AU.

Cooperation in Health Matters

Strengthened cooperation in health matters, including the adoption of a Health Protocol in all RECs by 2003 and implementation of the binding commitment on allocating 15% of our national budget to the improvement of the health sector as agreed to in the Abuja Summit Declaration on HIV/AIDS, Tuberculosis and other related Infectious Diseases.

Harmonization and Coordination of Education Policies

Attainment of set targets in the Plan of Action on the Decade of Education as adopted by the Summit of OAU Heads of State and Government in 1999, particularly universal basic education by 2015.

Information and Communication Technology (ICT)

Adoption of policy regulatory ICT frameworks that are transparent, predictable and ensure fair competition, and open markets, by 2005. Improvement of access for households and firms, with a short-term objective to double teledensity to two lines per 100 people by 2005, with an adequate level of access for households. Simultaneously, lowering of the cost and improvement of reliability of service, and achievement of e-readiness for all countries of Africa.

IV. FRAMEWORK OF IMPLEMENTATION

We further agree to the following framework of implementation as a means of carrying out the commitments contained in this Memorandum of Understanding;

To incorporate CSSDCA principles and guidelines in our national institutions that would have responsibility for helping in the monitoring of the CSSDCA activities as prescribed in the Solemn Declaration on the CSSDCA. To this end we shall initiate legislative, executive or administrative actions to bring national laws or regulations in conformity with CSSDCA.

To take all necessary measures in accordance with the constitutional procedures, in each of our Member States, to ensure the dissemination of such legislation as may be necessary for the implementation of the fundamental objectives.

To designate focal points within our existing national institutions for CSSDCA programmes. The focal point shall be responsible for coordinating and monitoring all activities relating to the CSSDCA. In addition, the focal point shall undertake, on annual basis, monitoring of the country's compliance with the CSSDCA process.

To also establish within our existing national institutions a national coordinating committee, consisting of all stakeholders dealing with the various calabashes of the CSSDCA framework, to develop and coordinate the overall strategies and policies towards the four calabashes of the CSSDCA.

To create favourable conditions for the development of the African continent, in particular by harmonizing our national strategies and policies and refrain from any unilateral action that may hinder the attainment of the general and specific principles of the CSSDCA as contained in the Solemn Declaration and undertakings derived therefrom.

To provide, within all the RECs, appropriate institutional framework for the implementation of the CSSDCA Solemn Declaration and the Memorandum of Understanding on Security, Stability, Development and Cooperation.

To use the monitoring process of the CSSDCA to establish best current knowledge and practices that would strengthen democratic practices, the protection of human rights and the promotion of good governance in the continent.

To strengthen and enlarge the CSSDCA Unit, including endowing it with adequate human resources and funds, as well as an enhanced technical analytic capacity to take initiatives within the structure of the envisaged Commission of the African Union and to enable it perform its tasks efficiently and effectively, particularly in respect of coordination and harmonization of policies of Member States.

To ensure that the CSSDCA Process forms part and parcel of the work programme of the Commission of the African Union.

To consolidate and strengthen political will among Member States as a necessary and sufficient condition for the attainment of the goals set forth by Member States in the CSSDCA process.

V. MONITORING PERFORMANCE

We finally agree to the following mechanisms for measuring performance:

1. To convene, in accordance with the Solemn Declaration on the CSSDCA, a Standing CSSDCA Conference at Summit level every two years during ordinary sessions of Summit, review meetings of plenipotentiaries and senior officials in between sessions of the Standing Conference.

The commitments entered into by Member States for the Security and Stability Calabashes shall form part of these reviews. These commitments will serve as agreed benchmark criteria and indices, with key performance indicators as instruments for measurement of compliance in monitoring progress towards agreed goals.

In preparing for those reviews, the national mechanisms for monitoring the core values and commitments of the Security and Stability Calabashes shall work closely with the CSSDCA Unit, which will elaborate a comprehensive work programme and time schedule for its activities including, administrative arrangements for overseeing the monitoring process, with diagnostic tools and measurement criteria for assessing performance, as well as deficiencies and capacity restraints that impede them. All stakeholders in providing inputs for the review process will use the diagnostic tools and measurement criteria and highlight capacity restraints or gaps that should be bridged to enable higher standards of performance along with resources that should be mobilized to support this process. This process of peer scrutiny will facilitate the development of best practices and suggest ways in which they can be effectively transferred to where they are not in operation.

The national mechanisms for evaluation will produce country reports. However, inputs shall be obtained from specialized agencies, the private sector, civil society organizations, and parliamentarians as part of a general process of evaluation. The different inputs will be cross-referenced to provide a clear and accurate representation.

Regional Economic Communities shall also play a role in these reviews. The Executive Heads of Regional Economic Communities should thus be invited to the Review Meetings of plenipotentiaries and senior officials.

In carrying out the tasks of monitoring performance, the Coordinating Unit of the CSSDCA in the OAU/AU shall coordinate closely with the national and regional focal points. It shall seek the cooperation of regional and international bodies in the context of the relevant Calabashes on Security, Stability, Development and Cooperation, as well as support and assistance from other relevant international organizations or institutions and other cooperation agencies especially the ECA, ADB, UNDP, IMF, IOM and IBRD to promote the realization of the objectives of the CSSDCA process.

The CSSDCA Process will also be supported by visitation panels composed of eminent, reputable Africans to carry out professional, independent and objective on spot assessments in two-year circles as part of the preparation for the bi-annual Standing Conferences of the CSSDCA. Such visitation panels will raise the visibility and credibility of the process and augment the permanent and continuous monitoring process.

We express our determination to respect and apply fully the undertakings, as set forth in the present Memorandum of Understanding in all aspects, in our mutual relations and cooperation, in order to assure each of our Member States the benefits resulting from the respect and application of these undertakings by all.

We are convinced that respect for these undertakings will encourage the development of normal and friendly relations and the progress of cooperation among our countries and peoples. We are also convinced that respect for the core values and commitments contained in this Memorandum of Understanding will encourage the development of contacts among our countries, which, in time, would contribute to better mutual understanding of our commitments. We commit ourselves to respect and implement all the above undertakings in conformity with Articles 9 (e) and 23 (2) of the Constitutive Act of the African Union.