

AFRICAN UNION

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**ASSEMBLY OF THE AFRICAN UNION
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**REPORT OF THE EXECUTIVE COUNCIL ON THE AUDIT OF
THE UNION AND THE MINISTERIAL COMMITTEE ON THE
UNION GOVERNMENT**

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1. It is recalled that the 9th Ordinary Session of Heads of State and Government, which took place in Accra, Ghana, in July 2007, adopted the Accra Declaration, following the Grand Debate on the Union Government. Among other things, the Heads of State and Government agreed to accelerate the economic and political integration of the continent, including the formation of the Union Government for Africa. This was with a view to providing a clear vision of the future of the African Union. They therefore, resolved to collectively identify and negotiate the differences in perception and opinion in the concept of the Union Government.

2. They accordingly decided to conduct an Audit of the Executive Council, the Commission as well as the other Organs of the African Union, and to establish a Ministerial Committee to examine, among other things, the content of the Union Government concept, its relation with National Governments, and elaboration of the Roadmap together with Timeframes for the establishment of the Union Government.

3. The outcome of the Audit and the work of the Ministerial Committee were to be submitted to the Executive Council to make appropriate recommendations to the Ordinary Session of the Assembly.

4. The 12th Ordinary Session of the Executive Council considered the two Reports.

5. The Report of the Independent High Level Panel for the Audit of the African Union was introduced by Prof. Adebayo Adedeji, Chairman of the Panel. The Chairman made a passionate appeal for concrete and determined effort to move forward the African Union Government project, which was enunciated about fifty (50) years ago.

6. The Chairman informed the Council that the Report contained one hundred and fifty-nine (159) recommendations to galvanize the integration process. Some of these recommendations were non-contentious and could be implemented immediately. Others could be taken up later.

7. The Report outlined eight (8) benchmarks which were crucial to the realization of the African Union Government project. These benchmarks are:

- i) Revamping the Institutions of the Union;
- ii) Popularizing and internalizing Africa's core values;

- iii) Mobilizing and engaging the peoples of Africa for the Union Government project;
- iv) Free movement of the peoples of Africa;
- v) Rationalisation of the RECs;
- vi) Fast-tracking the move towards an African Common Market and the African Economic Community;
- vii) Establishment of continental financial and monetary institutions;
- viii) Developing African entrepreneurial elite towards regional and continental investment projects that advance unity and integration.

8. The Chairman urged the Council to make appropriate recommendations to the Assembly, bearing in mind the imperative to accelerate the pace of realizing the objective of a Continental Union Government.

9. On behalf of the Commission, the Legal Counsel presented the Commission's response to the recommendations contained in the Panel's Report. While commending the Panel for a thorough Audit, the Commission could not share some of the conclusions reached by the Panel and therefore presented alternative recommendations.

10. The Panel's Report and the Commission's response provided the basis upon which the debate was conducted.

11. The Panel was generally commended for producing an insightful and enlightening Report. However, some delegations complained that they received the Report late, and did not have enough time to study and digest its contents. They expressed the hope that in future, documents of such relevance should be made available to all Members of the Council in good time.

12. In their interventions, some delegations suggested that the Council could isolate elements of the Report on which there was consensus and submit those to the Assembly. Others however, preferred a holistic consideration of the entire recommendations, rather than a piecemeal selection of some of the recommendations for adoption.

13. The debate also brought to the fore some differences of opinion regarding the conduct of elections for the Commission's officials. While some Members proposed a postponement of the election of Commissioners, others were not attracted to the idea.

14. With regard to the Panel's recommendation that the Chairperson should be empowered to appoint Commissioners to the various portfolios, some delegations

supported the idea, acknowledging that it would enhance smooth operation at the Commission. Others felt that it would give too much power to the Chairperson.

15. A number of delegations supported the Panel's proposal to create a Ministerial working group to look at the Financial Institutions, free movement of people and consortium of trans-national entrepreneurs, as well as the accelerators of the integration mechanism.

16. The issue of the appropriate integration model that Africa should adopt was also discussed. It was noted that Africa could learn from integration models of societies such as Europe, USA, Brazil and India. However, it was added that sight should not be lost of the fact that these models developed around the economic, ideological and political imperatives of those societies which might be different from Africa's own peculiarities. As much as possible, therefore, Africa should design its own model of integration.

17. Consequently, there was virtual unanimity among the Council that an Extra-Ordinary session be convened probably within three months, to be dedicated solely to examination of the Report.

18. On the whole, the consideration of the Panel's Report hovered around the need to implement some recommendations without delay, identification of recommendations that have financial and institutional implications that need to be considered later and those related to the election of the Chairperson, Deputy Chairperson and Commissioners, on which the Assembly could take a decision.

19. One issue pervaded the debate, that is, Africa cannot continue to drag its feet on the need for greater integration. The people of the continent deserve leadership on this matter, and they should be involved in the integration processes.

20. The Council also debated extensively the Report of the Ministerial Committee on the Union Government. The Report provided specific recommendations for the attention of the Council.

21. In the course of the discussions, a number of delegations indicated that the Committees' Report and the recommendations contained therein, should be considered as "work in progress" and that it provided a solid basis for further reflection on the Union Government concept.

22. The recommendations relating to the participation of the people of Africa in the Union Government, the popularization of the Union Government, the role of the organs of the Union as well as shared values, seem to have received consensus.

23. However, issues relating to the institutions and structures of the Union Government, the domains of competence, the role of the RECs and the impact of the Union Government on the sovereignty of Member States, as well as the Roadmap and Timeframes for achieving the Union Government, appeared to be issues that Member States wanted a deeper reflection on.

24. The Council was urged not to reopen the debate on the merits and demerits of the Union Government because this was the essence of the Grand Debate in Accra, leading to the establishment of the Panel and the Ministerial Committee on the Union Government.

25. During the debate on this Report, some delegations also suggested the setting-up of mechanism, either in the form of Ministerial Committee or a group of technical experts to consider all the technical, legal and related issues, and submit specific recommendations that would facilitate the taking of a decision at a later date on the way forward to achieving the Union Government of Africa.

26. On the whole, the intensive and exhaustive discussions on the Reports of the Panel and the Ministerial Committee were held in an atmosphere of frankness and purposefulness, and addressed all aspects of the Terms of Reference given by the Assembly in Accra.

27. Since members of the Council presented different perspectives and approaches on the way forward, the overwhelming feeling was that further reflection on the issue would be necessary.

28. In as much as the Council would have preferred to submit specific recommendations to the Assembly, it could not reach consensus on the approach and on a number of key issues.

29. It is the hope of the Council that this Assembly, in considering the two Reports, would give further directives and guidance which would inform Council's deliberations when the Extraordinary Session, if approved, takes place.