

AFRICAN UNION

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ASSEMBLY OF THE UNION
Twenty-Eighth Ordinary Session
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Addis Ababa, ETHIOPIA

Assembly/AU/Draft/Dec.1- 19(XXVIII)
Assembly/AU/Draft/Decl. 1-2(XXVIII)
Assembly/AU/Draft/Res.1-2(XXVIII)
Assembly/AU/Draft/Motion(XXVIII)

**DRAFT DECISIONS, DECLARATIONS,
RESOLUTION AND MOTION**

DRAFT
DECISION ON THE INTERNATIONAL CRIMINAL COURT¹
Doc. EX.CL/1006(XXX)

The Assembly,

1. **TAKES NOTE** of the recommendations of the Executive Council on the implementation of Decisions on the International Criminal Court (ICC);
2. **REITERATES** the following:
 - i) The commitment of the African Union and its Member States to the fight against impunity in accordance with the Constitutive Act of the African Union;
 - ii) The suspension or termination of proceedings against President Omar Al Bashir of The Sudan and **URGES** the United Nations Security Council to withdraw the referral case in The Sudan;
 - iii) The need for all Member States to continue to comply with the Assembly Decisions on the warrants of arrest issued by the ICC against President Al Bashir of The Sudan pursuant to Article 23 (2) of the Constitutive Act of the African Union and Article 98 of the Rome Statute of the ICC;
3. **EXPRESSES** its dissatisfaction that the meeting between Open Ended Ministerial Committee and the United Nations Security Council was aborted due to the inappropriate representation of the delegations of the latter, which prevented a constructive engagement, in the absence of official's with decision making powers **DECIDES** that the Open Ended Ministerial Committee discontinue any further engagement with the United Nations Security Council as no tangible result will come out of the exercise due to the recalcitrant position of some members of the UNSC..
4. **FURTHER EXPRESSES** deep concern at the slow pace of ratification of the Protocol on Amendments to the Protocol of the African Court of Justice and Human and Peoples' Rights adopted on 27 June 2014 and **REITERATES** its previous call on Member States to sign and ratify the Protocol, as soon as possible.
5. **COMMENDS** the members of the Open Ended Committee of Foreign Ministers ("*Open ended Ministerial Committee*") under the previous chairpersonship of H.E. Dr. Tedros Adhanom Ghebreyesus and requests the newly appointed Minister of Foreign Affairs of the Federal Democratic Republic of Ethiopia, H.E. Dr. Workneh Gebeyehu to steer the work with the same vigour and commitment as his predecessor;

¹ Reservations entered by Cabo Verde, Nigeria and Senegal.

6. **WELCOMES and FULLY SUPPORTS** the sovereign decisions taken by Burundi, South Africa and The Gambia as pioneer implementers of the Withdrawal Strategy, regarding their notification of withdrawal from the ICC;
7. **ALSO, TAKES NOTE** of the initiative by the President of the Assembly of States Parties for creating the enabling environment for a constructive dialogue on Africa's concerns with the ICC as a catalyst for further open and transparent engagement on all issues including those related to the linkages between peace and justice.
8. **ADOPTS** the ICC Withdrawal Strategy along with its Annexes² and **CALLS** on member states to consider implementing its recommendations³;
9. **REQUESTS:**
 - i) The Group of African States Parties in New York in collaboration with the Commission to actively participate in the deliberations of the Working Group on Amendments to ensure that African proposals are adequately considered and addressed;
 - ii) The Commission to support the AU Mission in Brussels and The Hague in fulfilling its responsibility in providing secretariat support to the African Group in Brussels;
 - iii) The Open Ended Ministerial Committee to report on the implementation of this decision to the next Ordinary Session of the Assembly through the Executive Council in July 2017.

² Malawi, Tanzania, Tunisia and Zambia requested more time to study the Withdrawal Strategy.

³ Reservation entered by Liberia on paragraph 8 of the decision.

DRAFT
DECISION ON THE CONTINENTAL FREE TRADE AREA (CFTA)
Doc. Assembly/AU/4(XXVIII)

The Assembly,

- 1. TAKES NOTE** of the Report on implementation of Assembly/AU/Dec.608(XXVII) on the Continental Free Trade Area and Update on the proposed mechanism for the elimination of non-tariff barriers (NTBs) in the Continental Free Trade Area (CFTA);
- 2. CALLS UPON** AU Member States to secure funding for activities of Eminent Persons Group on the Continental Free Trade Area;
- 3. REQUESTS** the AU Commission
 - i) to mobilise funding for implementation of the NTBs Elimination Program on the CFTA;
 - ii) to undertake consultations and capacity building assistance Member States and stakeholders including civil society and the private sector to ensure timely conclusion of the CFTA negotiations;
 - iii) to report on the implementation of this decision during the AU summit of July 2017.

DRAFT
**DECISION ON UNIVERSAL ACCESS TO IMMUNIZATION AS A
CORNERSTONE FOR HEALTH AND DEVELOPMENT IN AFRICA**
Doc. EX.CL/1002(XXX)Add.1

The Assembly,

1. **TAKES NOTE** of the proposal by the Federal Democratic Republic of Ethiopia on “Universal Access to Immunization as a Cornerstone for Health and Development in Africa”;
2. **RECOGNIZES** that as the continent that has the youngest population of any region globally, developing the right policies and investments in health for youth including investments in immunization, will position Africa to move into new opportunities that emerge from a demographic dividend;
3. **RECALLS** that Article 14 of the African Charter on the Rights and Welfare of the Child stipulates that every child shall have the right to enjoy the best attainable state of physical, mental and spiritual health;
4. **ACKNOWLEDGES** that harnessing the demographic dividend through broad-based inclusive economic growth in Africa is dependent on a healthy population; and that strong immunization programmes are a cornerstone of robust health systems that help to achieve universal health coverage which is critical for Africa to achieve the economic and development goals set by Agenda 2063;
5. **RECOGNIZES** that the economic imperative and benefits of reducing vaccine-preventable diseases and consequential deaths will improve overall health, empower our future generation and allow every person to achieve his or her full potential;
6. **REAFFIRMS** commitment to implement the Pharmaceutical Manufacturing Plan in Africa (PMPA) that will promote and invest in regional capacity for the development and production of vaccines;
7. **ENDORSES** the Ministerial Declaration on Universal Access to Immunization as a Cornerstone for Health and Development in Africa;
8. **CALLS UPON** Member States to support the implementation of the Declaration to ensure and facilitate universal access to immunization by allocating adequate domestic resources and securing new investments to strengthen national immunization programmes as well as mount strong advocacy campaigns to achieve the Global Vaccine Action Plan goals and overall health care delivery systems;
9. **FURTHER CALLS UPON** Member States in partnership with all relevant stakeholders, to negotiate with vaccine manufacturers to ensure and facilitate access to vaccines at affordable prices while increasing price transparency;

10. **FURTHER REQUESTS** the Commission, Member States, WHO and partners to facilitate the implementation of the Declaration and put in place a mechanism for follow up and regular reporting to the Summit to include a corresponding accountability framework.

DRAFT
DECISION ON PROMOTION AND PROTECTION OF AFRICAN
INVESTMENTS TO SUSTAIN INVESTMENT IN THE YOUTH
Doc. EX.CL/1002(XXX)Add.2

The Assembly,

- 1. WELCOMES AND TAKES NOTE** of the proposal of the State of Libya on the promotion and protection of African Investments to sustain investment in the Youth, which provides the Youth with greater job opportunities, prevents illegal migration and allay their frustration;
- 2. REITERATES** its support for the initiatives and strategies put in place at the continental, regional and national levels designed to support efforts for the implementation of Agenda 2063 of the African Union and its First Ten Year Implementation Plan and **CALLS UPON** Member States to take firm and sustained steps for resource mobilization within the context of supporting, encouraging and protecting Africa-Africa investments;
- 3. ENCOURAGES** Member States to establish small and medium enterprises in support of the African youth thereby creating access to sustainable investment in the youth.

DRAFT
DECISION ON THE DATE OF THE 5TH
AFRICA-EU SUMMIT IN 2017

The Assembly,

1. **TAKES NOTE** of Executive Council Decision EX.CL/Dec 930(XXX) of July 2016 accepting the offer of Côte d'Ivoire to host the 5th Africa-EU Summit in November 2017;
2. **APPROVES** the date of 29 to 30 November 2017 proposed by the Republic of Côte d'Ivoire for the convening of the 5th Africa-EU Summit;
3. **DIRECTS** the Commission, in close collaboration with the host country, to undertake the activities in preparation for the Summit and report thereon to the PRC.

DRAFT
DECISION ON THE IMPLEMENTATION OF DECISION
Doc. Assembly/AU/Dec.614(XXVII)

The Assembly,

1. **RECALLS** its previous Decision Assembly/AU/Dec.614 (XXVII) during the 27th Ordinary Session of the Assembly held in Kigali, in July 2016, establishing the AU Special Fund on the Prevention and Combating Terrorism and Violent Extremism in Africa;
2. **TAKES NOTE** of the progress made by the Commission in developing the Draft Statute of the African Union Special Fund on the Prevention and Combating Terrorism and Violent Extremism in Africa and **REQUESTS** the Commission to submit it to the Specialized Technical Committee on Justice and Legal Affairs for consideration and appropriate recommendations;
3. **FURTHER REQUESTS** the Commission to report to the Assembly on progress in the implementation.

DRAFT
DECISION ON THE DATES AND VENUE OF THE 29th ORDINARY SESSION
OF THE ASSEMBLY OF THE AFRICAN UNION IN JUNE 2017

The Assembly,

1. **DECIDES** that the dates of the Twenty-Ninth Ordinary Session of the Assembly which will be held in, shall be the following:
 - i) Thirty-Fourth (34th) Ordinary Session of the Permanent Representatives' Committee (PRC): fromJune 2017;
 - ii) Thirty-First (31st) Ordinary Session of the Executive Council: from ... toJune 2017;
 - iii) Twenty-Ninth (29th) Ordinary Session of the Assembly:June 2017.

**DRAFT DECISION ON THE REPORT OF THE PEACE AND SECURITY COUNCIL
ON ITS ACTIVITIES AND THE STATE OF PEACE AND SECURITY IN AFRICA
Doc. Assembly/AU/6(XXVIII)**

The Assembly,

- 1. CONGRATULATES** and **WELCOMES** the President of The Gambia, H.E. Adama Barrow. The Assembly **FURTHER CONGRATULATES** the Economic Community of West African States (ECOWAS) and its Leaders, for the efforts deployed towards finding a peaceful solution in to the post-election crisis in The Gambia that respect the will of the people of the country and upholds the African Union (AU) and ECOWAS instruments on democracy, elections and governance. The Assembly **EXPRESSES ITS GRATITUDE** to Presidents Mohamed Abdel Aziz of Mauritania and Alpha Konde of Guinea for their decisive role in convincing the former President Yahya Jammeh to hand over power. The Assembly **CALLS ON** all AU Member States, as well as the international community at large, to continue to extend support to The Gambia, with a view to assisting the new Government in its efforts towards consolidating peace, security and stability, as well as healing and reconciliation process, that will enable the country to unite and rebuild its economy;
- 2. CALLS UPON** the South Sudanese stakeholders to engage fully in the implementation of the Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCRSS), and **FURTHER CALLS UPON** all stakeholders to contribute towards healing and reconciliation efforts in South Sudan, as part of calming down of ethnic tensions. The Assembly **STRESSES THE NEED** to ensure the all-inclusive character of the National Dialogue initiated by President Salva Kiir Mayardit that will lead to the reconciliation and healing of the nation. The Assembly **ALSO CALLS ON** all AU Member States to continue to support the efforts of the AU High Representative, former President Konare, as well as those of the Evaluation and Monitoring Commission (JMEC), led by former President Festus Mogae, to sustain political dialogue in order to de-escalate tensions in South Sudan. The Assembly **URGES** the Transition Government of National Unit (TGoNU), working with countries of the region and the United Nations (UN), to accelerate the process of deploying the Regional Protection Force (RPF), for the protection of civilians in the country. The Assembly **URGENTLY CALLS** for sustained political and financial support for the JMEC, in order to facilitate the implementation of the ARCRSS that the AU is one of the Guarantors;
- 3. COMMENDS** the Federal Government of Somalia, the African Union Mission in Somalia (AMISOM), as well as its Troop and Police Contributing Countries (T/PCC), for the progress made in the state building and electoral processes in Somalia, despite various challenges facing the country. Furthermore, and given the security challenges and the fragility of the gains made so far in Somalia, the Assembly **APPEALS** to all AU Member States and the international community at large, to continue to provide political, financial and logistical support to Somalia and the AMISOM, in this critical period, to ensure full stabilization of the country. The Assembly **WELCOMES** the understanding between the Government of Burundi and the AU Commission, in relation with

the European Union (EU), that may resolve the issue of paying the salaries to Burundian troops. The Assembly, **ONCE AGAIN, APPEALS** to the UN Security Council for the use of UN assessed contributions in support to AU-led Peace Support Operations (PSOs) in general, and to AMISOM, in particular, including the closing of the gap of 20% left by the EU. The Assembly **ALSO CALLS FOR** continued mobilization of international support to address the humanitarian situation in the country;

4. **WELCOMES** the Agreements signed on 18 October 2016 and on 31 December 2016, respectively, for the Organization of Peaceful, Credible and Free and Fair Elections in the Democratic Republic of the Congo (DRC), paving the way to a peaceful solution for the political crisis in the country. In this context, the Assembly **ENCOURAGES** the Congolese political and social actors to work towards the speedy and effective implementation of the Agreements and those who have not yet done so, to sign the Agreements. The Assembly **CALLS ON** the stakeholders and Guarantors of the Peace, Security and Cooperation Framework for DRC and the Region, signed on 24 February 2013, in Addis Ababa, to take the necessary measures and redouble their efforts to ensure the effective implementation of all aspects of the Framework Agreement and more specifically to neutralize the negative forces in Eastern DRC. The Assembly **APPEALS** to the AU Member States and the international community at large, to continue providing financial and logistic support to the Government of the DRC, for the smooth organization of elections in the country, on the agreed timeframe;
5. **WELCOMES** the outcome of the meeting of High Level Committee on Libya in Brazzaville on 27 January 2017 and **REITERATES** the need for the convening of a meeting of Libyan stakeholders to address the issue of national reconciliation, in accordance with the Kigali Assembly decision of 2016, including the necessary measures for the normal functioning of the government and all institutions of the country and **REQUESTS** the Commission to finalise necessary modalities for the organisation of this meeting. The Assembly **ENDORSES** the decision of the AU High Level Committee and **DECIDES** to expand the Committee by including in its membership the neighbouring countries of Libya, namely Algeria, Chad, Egypt, Niger, Sudan and Tunisia;
6. **REITERATES** its support for the full implementation of the Agreement for Peace and Reconciliation in Mali issuing from Algiers Process and **URGES** the Malian parties to redouble efforts to expedite its implementation. The Assembly **STRONGLY CONDEMNS** the deadly ignominious terrorist attack in Gao, Mali, on 18 January 2017, that constitute an attempt by terrorist groups to derail the ongoing political process under the Agreement. The Assembly **REAFFIRMS** the importance of the Nouakchott Process within the framework of the AU Sahel Strategy and **ENCOURAGES** the countries of the Process, with the support of the Commission, to ensure the regular conduct of its activities, including the expeditious convening of the ministerial meeting to consider the findings of the Assessment Mission to Northern Mali that took place in July/August 2016;

7. **URGES** the Government of Sudan to deploy additional efforts to ensure inclusivity in the next steps following the National Dialogue process, and **FURTHER STRONGLY CALLS UPON** the armed movements and the opposition political parties to take part in this national process aimed at bringing lasting peace to the country. The Assembly **TAKES NOTE WITH APPRECIATION** of the partial lifting of sanctions in Sudan, by the United States (US) Government and furthermore, **APPEALS** to the US Government to lift all remaining sanctions on Sudan, which continue to negatively affect the economy of the country. The Assembly **COMMENDS** the ongoing engagement between the Government of Sudan, the AU and the UN to have a well-planned exit strategy of the African Union Hybrid Operation in Darfur (UNAMID) that will ensure continued security for civilians in Darfur;
8. **URGES** the East African Community (EAC), with the support of the AU, to take the necessary steps for the resumption of the Inter-Burundian inclusive Dialogue and **CALLS UPON** the Government of Burundi and all other relevant Burundian stakeholders to fully participate in the process. The Assembly **FURTHER URGES** the Government of Burundi to sign the Memorandum of Understanding (MoU) regarding the deployment of AU Human Rights Observers and Military Experts in the country. The Assembly **CALLS UPON** the Burundian Government and all Burundian stakeholders to adhere to the provisions of the Constitution of the country and the Arusha Agreement of 2000, which is the corner stone of peace in the country, in resolving their political differences, for the benefit of their country and the people of Burundi;
9. **WELCOMES** the Conakry Agreement signed on 14 October 2016 and **CALLS ON** all political stakeholders to resolve their differences through inclusive dialogue and within the framework of the Constitution of Guinea-Bissau, as well as in line with the Agreement, bearing in mind the critical importance of constitutional reforms for lasting peace and stability in the country. The Assembly **EMPHASIZES** the critical importance of the role being played by the ECOWAS Mission in Guinea-Bissau (ECOMIB) in stabilizing the country, and **CALLS FOR** joint efforts to support the mobilization of financial resources to support the ECOMIB operations in Guinea-Bissau;
10. **NOTES WITH DEEP CONCERN** the continued impasse in the search for a solution to the conflict in Western Sahara and underline the urgent need for renewed international efforts to facilitate an early resolution of the conflict. In this respect, the Assembly **REITERATES ITS CALL** to the UN General Assembly to determine a date for the holding of the self-determination referendum for the people of Western Sahara and protect the integrity of the Western Sahara as a non-self-governing territory from any act which may undermine it. The Assembly **URGES** the UN Security Council to fully assume its responsibilities in restoring the full functionality of United Nations Mission for the Referendum in Western Sahara (MINURSO), as it is indispensable for overseeing the ceasefire and organizing the self-determination referendum in Western Sahara, as well as in addressing the issues of the respect of human rights and the illegal exploration and exploitation of the Territory's natural resources, particularly in line with the important judgment of the Court of Justice of the European Union issued on 21 December 2016, on the arrangement between the EU and Morocco signed in 2012, on the mutual

liberalization of the trade in agricultural and fishing products. The Assembly **REITERATES** its Declaration adopted at its 24th and 26th Ordinary Sessions, regarding the convening by the Crans Montana Forum, a Switzerland-based organization, of a meeting in the occupied territory of Western Sahara and **CALLS ON** the Crans Montana to desist from this activity. The Assembly **APPEALS, ONCE MORE** to all Member States, African civil society organizations and other relevant actors to boycott any such event;

11. **COMMENDS** the President of the Central African Republic (CAR), H.E. Faustin-Archange Touadéra, for his policy of openness and promotion of peace and inclusivity for all the daughters and sons of his country, with a view to achieving reconciliation and national development. The Assembly **EXPRESSES** its support for the efforts of the AU, Economic Community of Central African States (ECCAS) and the International Conference on the Great Lakes Region (ICGLR) with the support of Angola, Chad and Congo for the finalization and conclusion of a Peace Agreement with all the armed groups and **CALLS ON** the partners, particularly the UN and the EU to provide full support to this African initiative. The Assembly also **WELCOMES** the convening, in Addis Ababa, on 1 February 2017, of the conference within the framework of the African Solidarity Initiative in support of the CAR;
12. **TAKES NOTE** with appreciation on the progress made in the implementation of the African Peace and Security Architecture (APSA) and the African Governance Architecture (AGA), and **COMMENDS** the efforts deployed by the PSC, in collaboration with the RECs/RMs and the AU Commission, as well as civil society, the UN, the EU and other partners, in ensuring the full functioning and working in synergy of the APSA components. The Assembly **STRESSES** the need to further enhance synergy between the APSA and AGA. The Assembly **APPEALS** to all AU Member States to continue to provide support towards attaining the objective of the full-functioning of the APSA components, in particular the African Standby Force, and **WELCOMES** the upcoming inauguration of the Continental Logistic Base in Douala, Cameroon, in May 2017;
13. **EMPHASIZES** the need for all AU Member States, in particular the PSC, to continue to give more focus on conflict prevention, early warning and early response, in order to prevent, for future, occurrence of full blown conflicts in the continent. Furthermore, the Assembly **STRESSES** the need to closely monitor those countries emerging from conflicts and to provide sustained support to them, with a view to accomplishing the tasks of post-conflict reconstruction and development, as a measure to prevent relapses;
14. **COMMENDS** the Peace and Security Council for the holding of the Retreat on Practical Steps to Silence the Guns by 2020, from 7 to 9 November 2016, in Lusaka, Zambia, which developed the *African Union Master Roadmap of Practical Steps to Silence the Guns in Africa by Year 2020*, to serve as a guideline in the implementation of the 50th Anniversary Solemn Declaration adopted on 26 May 2013. In this regard, the Assembly **ENDORSES** the *African Union Master Roadmap of Practical Steps to Silence the Guns in Africa by year 2020*, as a guideline for Africa's efforts to this end and **CALLS ON** all AU Member States, Regional Economic Communities/Regional

Mechanisms for Conflict Prevention (RECs/RMs) and the AU Commission, as well as civil society and the private sector in Africa to support its implementation;

15. **ENDORSES** the relevant conclusions and recommendations of the 4th High Level Seminar on Peace and Security in Africa, held in Oran, Algeria, from 17 to 19 December 2016, aiming at strengthening coordination between the Peace and Security Council and the African Members (A3) in the UN Security Council, as well as enhancing their role in the promotion and defence of African interests and common positions on peace and security matters of concern to Africa, in the decision-making process of the UN Security Council. Furthermore, the Assembly **COMMENDS** Egypt during the time that it was coordinating the A3, in New York, for having initiated the process of providing updates on the activities of the A3 to the PSC.

DRAFT DECISION ON THE AFRICAN UNION MASTER ROADMAP OF PRACTICAL STEPS FOR SILENCING THE GUNS IN AFRICA BY THE YEAR 2020

The Assembly,

1. **EXPRESSING DEEP CONCERN** over the persistence of violent conflicts and crisis situations in some parts of the African continent, as well as the scourges related to this persistence, which have resulted in losses of innocent lives, untold suffering to the people, internally displaced persons and refugees, destruction of infrastructure and the environment, as well as derailment of national development programmes and projects among others;
2. **RECALLING** its OAU/AU 50th Anniversary Solemn Declaration adopted on 25 May 2014, in which the Assembly pledged not to bequeath the burden of wars to the next generation of Africans and undertook to end all wars in Africa by the year 2020;
3. **CONVINCED** that Silencing the Guns in Africa by the Year 2020 will fast-track integration and economic transformation of Africa by eliminating conflicts and channeling resources towards development;
4. **COMMENDS** the Peace and Security Council for having developed the AU Master Roadmap of Practical Steps for Silencing the Guns in Africa by the Year 2020, which constitutes frontal efforts towards promoting a conflict-free Africa as envisioned in Agenda 2063;
5. **FURTHER COMMENDS** the Government of the Republic of Zambia for hosting the PSC Retreat, in Lusaka, Zambia, from 7 to 9 November 2016 where this roadmap was crafted. **ALSO EXPRESSES APPRECIATION** to the Republic of Sierra Leone for the successful conduct of the PSC Retreat;
6. **ENDORSES** the African Union Master Roadmap of Practical Steps for Silencing the Guns in Africa by 2020;
7. **DIRECTS** the PSC to establish a monitoring and evaluation mechanism on the basis of which the Assembly will periodically review progress in the implementation of the Master Roadmap;
8. **REQUESTS** the PSC to take the required steps and mobilize necessary support from all concerned stakeholders, including, in particular the United Nations Security Council and other similar Organs, in order to ensure effective follow up and implementation of the Master Roadmap with a view to realizing the goal of a conflict-free Africa;
9. **CALLS ON** all Member States, the Regional Economic Communities and Regional Mechanisms for Conflict Prevention, Management and Resolution (RECs/RMs), as well as civil society organizations, in collaboration with the AU Commission, to take necessary measures to fully implement the Master Roadmap;

10. **REQUESTS** the PSC to submit regular reports on the status of implementation of the AU Master Roadmap, to each ordinary session of the Assembly.

**DRAFT DECISION ON THE REVITALISATION OF THE
AFRICAN PEER REVIEW MECHANISM (APRM)**

The Assembly,

1. **TAKES NOTE** of the Reports of the Special Summit of the Forum of Heads of States and Government of the APRM held on 29th January 2016 on the Revitalization of the African Peer Review Mechanism;
2. **CONGRATULATES** the Chairperson of the APR Forum for convening the Special Summit of the APR Forum with the theme 'Revitalizing the APRM to Strengthen Governance in Africa' and APR Forum members for their active participation;
3. **RECALLS** the Assembly Decision Assembly/AU/Dec.527(XXIII) taken at the 23rd Summit Ordinary Session of the Assembly African Union Heads States and Government held in Malabo, Equatorial Guinea, on the Integration of the APRM into the African Union structures;
4. **ACKNOWLEDGES** progress made in the implementation of the Integration decision and actions taken by the Chairperson of the AU Commission and APRM Secretariat to fast track the process;
5. **WELCOMES** the Report of the Committee on Revitalization of the APRM anchored on the revitalization agenda driven by H.E President Uhuru Kenyatta;
6. **WELCOMES** and **SUPPORTS** the recommendation contained in the report on the Institutional Reform of the African Union by H.E Paul Kagame President of the Republic of Rwanda, that the African Peer Review Mechanism (APRM) should be strengthened to track implementation and oversee monitoring and evaluation in key governance areas on the continent, and further requests the APRM to take necessary steps towards the attainment of this goal;
7. **EMBRACES** the positive contributions and recommendations emanating from the January Special Summit of the Forum of Heads of States and Government debate on the Revitalization of the APRM, and **WELCOMES** commitment towards the revitalization of APRM, key among them:
 - (i) Repositioning of the APRM to play a monitoring and evaluation role for the African Union Agenda 2063 and the United Nation Sustainable Development Goals Agenda 2030;
 - (ii) Widening the APRM approach from the current narrow minded approach to capture local, homegrown and indigenous knowledge embedded in the African culture;
 - (iii) Refocusing the APRM as an innovative tool for sharing best practices regionally and globally;

- (iv) Encouraging AU Member states that have already been reviewed to implement their National Plans of Action and recommendations to inform institutional reform at national level and avert highlighted challenges in their peer reviews;
 - (v) Revisiting the APRM questionnaire in sync with current development frameworks including the AU Agenda 2063 and UN Sustainable Development Goals;
 - (vi) Reengineering and rekindling the APRM spirit to deliver comprehensive reviews to avoid fragmentation;
 - (vii) Revisiting the original vision of the APRM and draw fully from their original to address leadership gaps that may have emerged;
 - (viii) Translating political will of APRM into financial contribution for greater ownership of the Mechanism;
 - (ix) Integrating APRM into national plans, RECs and regional development, including NEPAD and relevant international frameworks for greater coherence;
 - (x) Sharing the APRM model, experience and knowledge with other regions of the world for benchmarking and enhancing the international recognition of the Mechanism; and
 - (xi) Exploring domestic resource mobilization avenues for the Mechanism and stabilize APRM financial base through the payment of outstanding arrears;
8. **REITERATES** that the African Peer Review Mechanism remains the premier homegrown, African good governance tool conceived in 2003 and voluntarily acceded to by 36 Member States representing 65 % of AU Member states, more than half of whom (20) have undergone the review;
9. **FURTHER ACKNOWLEDGES** that peer review Reports of Djibouti, Chad, Kenya, Sudan and Senegal, and congratulates the three Member States as well as the Panel of Eminent Persons that led the review work;
10. **FURTHER CONGRATULATES** the CEO of the APRM Secretariat and commends him for his comprehensive report which reflects remarkable progress made in the last eleven months under his leadership to put the review process back on track, restoring confidence in the running of the Secretariat affairs and developing a turn-around strategy;
11. **FURTHER WELCOMES** the Five Year Strategic Plan 2016-2020 of the APRM;
12. **FURTHER TAKES NOTE** of the Statutes on the APRM integration into the AU, provisionally adopted by the APR Forum, and duly provides to consider for adoption in June 2017;

13. **DIRECTS** the APRM to provide support to Member States in the field of Rating Agencies;
14. **COMMENDS** the Chairperson of the African Union Commission, Dr. Nkosazana Dlamini Zuma, for supporting the APRM's integration and revitalization by designating senior staff from the Commission to support the APRM Secretariat;
15. **APPRECIATES** the Panel of Eminent Persons for their resilience and commitment to the process;
16. **URGES** Member States that have not so far acceded to the Mechanism to do so, and those that have done so to honor their annual contributions;
17. **CALLS ON** the Chair of the APR Forum to consider launching a Campaign on Universal Accession to the Mechanism to encourage more Members States of the AU to accede;
18. **FURTHER LOOKS FORWARD** to the celebration of the 15th Anniversary of the APRM in 2018, and **DIRECTS** the AU Commission to prepare a draft Special Declaration in this regard for our consideration in the January 2018 Ordinary Session of the Assembly.

DRAFT
DECISION ON THE APPOINTMENT OF TWO (2) JUDGES OF THE AFRICAN
COURT ON HUMAN AND PEOPLES' RIGHTS
Doc. EX.CL/1010(XXX)

The Assembly,

1. **TAKES NOTE** of the election of two (2) Judges of the African Court on Human and Peoples' Rights (AfCHPR) by the Executive Council;
2. **APPOINTS** the following persons as Judges of AfCHPR for a six (6) year term:

No.	Name	Gender	Country	Region
1.	Chafika BENSAOULA	Female	Algeria	Northern
2.	Rose Tujilane CHIZUMILA	Female	Malawi	Southern

DRAFT
DECISION ON THE APPOINTMENT OF ELEVEN (11) MEMBERS OF THE AFRICAN UNION ADVISORY BOARD ON CORRUPTION
Doc. EX.CL/1011(XXX)

The Assembly,

1. **TAKES NOTE** of the election of the Eleven (11) Members of the African Union Advisory Board on Corruption (the Board) by the Executive Council;
2. **APPOINTS** the following Members of the Board **for a two (2)- year term:**

No.	Name	Country	Region
1	Begoto MIAROM	Chad	Central
2	John Kithome TUTA	Kenya	Eastern
3	Paulus Kalomho NOA	Namibia	Southern
4	Florence ZIYAMBI	Zimbabwe	Southern
5	Pascal BAMOUNI (Floating seat)	Burkina Faso	Western
6	Daniel BATIDAM	Ghana	Western
7	Elisabeth Afiavi GNANSOUNOU FOURN	Benin	Western

DRAFT
**DECISION ON THE APPOINTMENT OF ONE (1) MEMBER OF THE AFRICAN
UNION COMMISSION ON INTERNATIONAL LAW**
Doc. EX.CL/1012(XXX)

The Assembly,

1. **TAKES NOTE** of the Election of the One (1) Member of the African Union Commission on International Law (AUCIL) by the Executive Council;
2. **APPOINTS** Kathleen Quartey AYENSU (Ghana - Western) as Member of the AUCIL **for the remaining three (3)- year term** of the late Mr. Ebenezer APPREKU (Ghana - Western) who was elected for a five (5) year term by the Twenty-sixth Ordinary Session of the Executive Council held in Addis Ababa, Ethiopia from 23-27 January 2015.

DRAFT
**DECISION ON THE OUTCOME OF THE RETREAT OF THE
ASSEMBLY OF THE AFRICAN UNION ON THE INSTITUTIONAL
REFORM OF THE AFRICAN UNION**

The Assembly,

1. **TAKES NOTE** of the Report on *“The Imperative to Strengthen our Union: Proposed Recommendations for the Institutional Reform of the African Union”* submitted by H.E. Mr. Paul Kagame, President of the Republic of Rwanda, to the 2nd Retreat of Heads of State and Government at the AU Headquarters, Addis Ababa, Ethiopia held on 29 January 2017;
2. **COMMENDS** H.E. Mr. Paul Kagame, President of the Republic of Rwanda, and the High Level Team of Experts for the excellent study undertaken on the institutional reform of the African Union (AU) and the proposals for a system of governance for the AU to enable it address the challenges facing the continent, and for submitting his report in a timely manner, as mandated by Decision Assembly/AU/Dec.606 (XXVII) adopted in Kigali, Rwanda in July 2016;
3. **ALSO TAKES NOTE** of the recommendations for the proposed reforms to further strengthen the African Union, in the following five (5) areas:
 - a) **Focus on key priorities with continental scope;**
 - b) **Realign African Union institutions in order to deliver against those priorities;**
 - c) **Connect the African Union to its citizens;**
 - d) **Manage the business of the African Union efficiently and effectively at both the political and operational levels;**
 - e) **Finance the African Union sustainably and with the full ownership of the Member States.**
4. **WELCOMES** the comments and observations made by Member States aimed at reinforcing the proposals and identifying the way forward with special emphasis on Pan-African values of unity, solidarity, freedom and equality, and the vision of our Founders of a political and economic Union. We reiterate the importance of African Common Positions as the most effective way of advancing Africa’s voice and representation in the world;
5. **DECIDES** to adopt the recommendations in the Report as amended by Member States during the Retreat’s deliberations contained in Annex I to this decision;
6. **FURTHER DECIDES** as follows:
 - i) Mandate H.E. Mr. Paul Kagame, President of the Republic of Rwanda in his capacity as the lead on the institutional reform of the Union, in collaboration with H.E. President Idriss Deby Itno, President of the Republic of Chad in his

capacity as the outgoing Chairperson and H.E. Alpha Conde, President of the Republic of Guinea in his capacity as the current Chairperson, to supervise the implementation process;

- ii) The Incoming Commission elected at the January 2017 Summit shall put in place a Reform Implementation Unit at the AU Commission, within the Bureau of the Chairperson, responsible for the day-to-day coordination and implementation of this decision;
- iii) The Incoming Commission shall also make recommendations on a mechanism to ensure that legally binding decisions and commitments are implemented by Member States;
- iv) H.E. President Paul Kagame shall report at each Ordinary Session of the Assembly on progress made with the implementation of this decision.

7. REQUESTS H.E. President Paul Kagame to report on the implementation of this Decision to the June/July 2017 Summit.

ANNEX

**TO ASSEMBLY DECISION ON THE OUTCOME OF THE RETREAT OF
THE ASSEMBLY OF THE AFRICAN UNION ON INSTITUTIONAL
REFORM OF THE AFRICAN UNION**

A. On focus on key priorities with continental scope:

- i) The African Union should focus on a fewer number of priority areas, which are by nature continental in scope, such as political affairs, peace and security, economic integration (including the Continental Free Trade Area), and Africa's global representation and voice;
- ii) There should be a clear division of labour and effective collaboration between the African Union, the Regional Economic Communities (RECs), the Regional Mechanisms (RMs), the Member States, and other continental institutions, in line with the principle of subsidiarity.

B. On realigning African Union institutions in order to deliver against those priorities

- i) The Commission should initiate, without delay, a professional audit of bureaucratic bottlenecks and inefficiencies that impede service delivery and the recommendations therein;
- ii) The Commission's structures should be re-evaluated to ensure that they have the right size and capabilities to deliver on the agreed priorities;
- iii) The Commission's senior leadership team should be lean and performance-oriented;
- iv) NEPAD should be fully integrated into the Commission as the African Union's development agency, aligned with the agreed priorities and underpinned by an enhanced results-monitoring framework;
- v) The African Peer Review Mechanism (APRM) should be strengthened to track implementation and oversee monitoring and evaluation in key governance areas of the continent;
- vi) The roles and functions of the African Union judicial organs and the Pan-African Parliament should be reviewed and clarified, and their progress to date assessed;
- vii) The Peace and Security Council (PSC) should be reformed to ensure that it meets the ambition foreseen in its Protocol, by strengthening its working methods and its role in conflict prevention and crisis management;
- viii) The Permanent Representatives Committee's (PRC) Rules of Procedures should be reviewed and be in line with the mandate

provided for in the Constitutive Act of the African Union. The PRC should facilitate communication between the African Union and national capitals, and act as an advisory body to the Executive Council, and not as a supervisory body of the Commission.

C. On connecting the African Union to its citizens

- i) The Commission should establish women and youth quotas across its institutions and identify appropriate ways and means to ensure the private sector's participation;
- ii) The Commission should establish an African Youth Corps, as well as develop programs to facilitate cultural and sports exchange among Member States;
- iii) Member States should make the African passport available to all eligible citizens as quickly as possible, in line with the Assembly decision Assembly/AU/Dec.607 (XXVII) adopted in Kigali, Rwanda in July 2016;
- iv) The Commission should identify and provide a set of new capabilities or 'assets' in the form of common continent-wide public goods and services valued by Member States and citizens. Such services could include the provision of neutral arbitration and competition services, or a common technical platform for the data and analysis needed to assess Africa's progress toward its development goals;
- v) Member States should engage their Parliaments and citizens, including civil society, on the African Union reform process.

D. On managing the business of the African Union efficiently and effectively, at both political and operational levels

On political management of the Union

- i) The African Union Assembly shall handle an agenda of no more than three (3) strategic items at each Summit, in line with the Me'kelle Ministerial Retreat recommendations. Other appropriate business should be delegated to the Executive Council;
- ii) The Assembly shall hold one Ordinary Summit per year, and shall hold extraordinary sessions as the need arises;
- iii) In place of the June/July Summit, the Bureau of the African Union Assembly should hold a coordination meeting with Regional Economic Communities, with the participation of the Chairpersons of the Regional Economic Communities, the AU Commission and Regional Mechanisms. Ahead of this meeting, the AU Commission shall play a more active coordination and harmonisation role with the Regional Economic Communities, in line with the Abuja Treaty;

- iv) External parties shall only be invited to Summits on an exceptional basis and for a specific purpose determined by in the interests of the African Union;
- v) Partnership Summits convened by external parties should be reviewed with a view to providing an effective framework for African Union partnerships. Africa should be represented by the Troika, namely the current, incoming and outgoing Chairpersons of the African Union, the Chairperson of the AU Commission, and the Chairpersons of the Regional Economic Communities;
- vi) To ensure continuity and effective implementation of Assembly decisions, a troika arrangement between the outgoing, the current, and the incoming African Union Chairpersons should be established. In this regard, the incoming chairperson shall be selected one year in advance;
- vii) Heads of State shall be represented at Summits by officials not lower than the level of Vice President, Prime Minister or equivalent;
- viii) The current sanctions mechanism should be strengthened and enforced. This would include consideration of making participation in the African Union deliberations contingent on adherence to Summit decisions.

On operational management

- i) The election of the Chairperson of the AU Commission should be enhanced by a robust, merit-based, and transparent selection process;
- ii) The Deputy Chairperson and Commissioners should be competitively recruited in line with best practice and appointed by the Chairperson of the Commission, to whom they should be directly accountable, taking into account gender and regional diversity, amongst other relevant considerations;
- iii) The Deputy Chairperson role should be reframed to be responsible for the efficient and effective functioning of the Commission's administration;
- iv) The title of Chairperson and Deputy Chairperson may also be reconsidered;
- v) A fundamental review of the structure and staffing needs of the organisation, as well as conditions of service, should be undertaken to ensure alignment with agreed priority areas.

E. On Financing the African Union sustainably and with the full ownership of the Member States

- i) The Kigali Decision on Financing of the Union (Assembly/AU/Dec.605 (XXVII)) should be implemented in full and without undue delay;

- ii) The Committee of Ten Finance Ministers should assume responsibility for oversight of the African Union budget and Reserve Fund (in para D(iii)), and develop a set of 'golden rules', establishing clear financial management and accountability principles;
- iii) After funding of the budget of the African Union and the Peace Fund, the balance of the proceeds of the 0.2% AU levy on eligible imports, the Committee of Ten Finance Ministers should look into placing surplus in a Reserve Fund for continental priorities as decided by the Assembly;
- iv) The current scale of contributions should be revised based on the principles of ability to pay, solidarity, and equitable burden-sharing, to avoid risk concentration.

DRAFT
DECISION ON THE DRAFT LEGAL INSTRUMENTS

The Assembly,

1. **TAKES NOTE** of the Report of the Specialized Technical Committee on Justice and Legal Affairs and the recommendations of the Executive Council thereto;
2. **ADOPTS** the following Legal Instruments:
 - i) Statutes of the African Union Mechanism for Police Cooperation (AFRIPOL);*
 - ii) Draft Amendment to the Constitution of the African Civil Aviation Commission in its Article 10 (4) as follows:*
 - ✓ The quorum for the Plenary shall be simple majority (fifty percent plus one) of Member States.
3. **CALLS ON** Member States to sign and ratify the said Legal Instruments, where applicable, to enable them to enter into force.

DRAFT
DECISION ON THE ELECTION OF THE CHAIRPERSON AND DEPUTY
CHAIRPERSON OF THE AFRICAN UNION (AU) COMMISSION
Doc. Assembly/AU/2(XXVIII) and Assembly/AU/3(XXVIII)

The Assembly,

1. **ELECTS** the followings persons as follows:

No.	Name	Country	Gender	Region	Portfolio
a)	MAHAMAT Moussa Faki	Chad	Male	Central	Chairperson
b)	QUARTEY Thomas Kwesi	Ghana	Male	Western	Deputy Chairperson

2. **CONGRATULATES** the newly elected Chairperson and Deputy Chairperson, wishes them the very best in carrying out their mandate and **ASSURES** them of the unwavering support of the Assembly.

DRAFT
DECISION ON THE APPOINTMENT OF THE COMMISSIONERS
OF THE AFRICAN UNION
Doc. EX.CL/1009(XXX)

The Assembly,

1. **TAKES NOTE** of the Report of the Commission on the Election of the Commissioners of the African Union;
2. **APPOINTS** the following candidates as Commissioners of the African Union:

No.	Name	Gender	Country	Region	Portfolio
a)	CHERGUI Smail	Male	Algeria	Northern	Peace and Security
b)	SAMATE Cessouma Minata	Female	Burkina Faso	Western	Political Affairs
c)	ABOU-ZEID Amani	Female	Egypt	Northern	Infrastructure and Energy
d)	ELFADIL Amira Elfadil Mohammed	Female	Sudan	Eastern	Social Affairs
e)	MUCHANGA Albert M.	Male	Zambia	Southern	Trade and Industry
f)	SACKO Josefa Leonel Correa	Female	Angola	Southern	Rural Economy and Agriculture

3. **CONGRATULATES** the newly elected Commissioners;
4. **DECIDES** that the remaining two (2) portfolios of Commissioners be elected from either one (1) male from Eastern Region or one (1) female from the Central Region at the Thirty-First Ordinary Session of the Executive Council to be appointed during the Twenty-Ninth Ordinary Session of the Assembly in July 2017 in accordance with Article 16 (6) of the Statutes of the Commission of the African Union;
5. **FURTHER DECIDES** that the elected Commissioners who did not take the Oath of Office during the current session of the Assembly should do so before the Chairperson of the Commission;
6. **ALSO DECIDES** that the Chairperson of the Commission, in consultations with the Chairperson of the Executive Council appoint one (1) of the Commissioners to act until a new Commissioner has been appointed pursuant to Article 16 (5) of the Statutes of the Commission of the African Union.

DRAFT
**DECISION ON THE ADMISSION OF THE KINGDOM OF MOROCCO
TO THE AFRICAN UNION**

The Assembly,

1. **TAKES NOTE** of the Report of the Chairperson of the Commission on the request by the Kingdom of Morocco to accede to Constitutive Act of the African Union and to be admitted as a member of the African Union;
2. **ALSO TAKES NOTE** of the Debate on the matter and the legal opinion provided by the Legal Counsel of the AU, at the request of some Member States;
3. **WELCOMES** the request from the Kingdom of Morocco as it provides the opportunity to reunite the African community of states around the Pan-African core values of the Founders of solidarity, unity, freedom and equality, in accordance with the Principles and Objectives of the Constitutive Act. This will strengthen the ability of the African Union to find African solutions to African problems;
4. **DECIDES** to admit the Kingdom of Morocco as a new Member State of the African Union in conformity with Article 9(c) and Article 29 of the Constitutive Act of the African Union;
5. **REQUESTS** the Chairperson of the Commission to communicate this decision of the Assembly to the Kingdom of Morocco and request the latter to deposit their instrument of accession to the Constitutive Act of the African Union.

DRAFT
DECISION ON AFRICA'S ENGAGEMENT IN THE GLOBAL
CLIMATE CHANGE NEGOTIATIONS AT COP22
Doc. Assembly/AU/9(XXVIII)

The Assembly,

1. **TAKES NOTE** of the Report of the Coordinator of the Committee of the African Heads of State and Government on Climate Change (CAHOSCC), H.E. Abdel Fattah El Sisi, President of the Arab Republic of Egypt on climate change action in Africa and preparation for Global Climate negotiations; and **ENDORSES** the recommendations and key messages contained therein;
2. **CONGRATULATES** the Kingdom of Morocco on successfully hosting the Twenty-second Conference of the Parties (CoP22) to the United Nations Framework Convention on Climate Change (UNFCCC); and **WELCOMES** the entry into force of the Paris Agreement under the Convention on 4 November 2016 and the successful convening of the first meeting of the Conference of the Parties serving as the meeting of the parties to the Paris Agreement (CMA 1) at CoP22 in Marrakesh;
3. **EXPRESSES APPRECIATION** to the African Ministerial Conference on Environment (AMCEN) as well as the Commission, and the African Group of Negotiators (AGN) for representing the interests of Africa in the climate change negotiations and the constructive manner in which they have advanced the UNFCCC process; **URGES** AMCEN, the Commission and AGN to continue to maintain the unity of the group and to continue to represent African interests in the UNFCCC process; **CALLS ON** the AGN in collaboration with the Commission to continue to provide the necessary technical support and advice to CAHOSCC through AMCEN;
4. **COMMENDS** the Commission, the African Development Bank, and the NEPAD Planning and Coordinating Agency (NPCA), as well as the United Nations Economic Commission for Africa (UNECA) for the establishment and the effectiveness of the Africa Pavilion and the Africa day at CoP22;
5. **WELCOMES** progress on the African Adaptation Initiative (AAI) and the Africa Renewable Energy Initiative (AREI); **COMMENDS** the work done by the co-leaders of the AREI and technical working groups of AAI in collaboration with other relevant partners; and **URGES** Developed Countries to support the implementation of these two initiatives launched by H.E President Abdel Fattah El Sisi the President of the Arab Republic of Egypt and the Coordinator of the CAHOSCC at CoP21 along with the High Level Work Programme on Climate Change Action in Africa (WPCCAA), The Phase 2 ClimDev-Africa and the African Environmental Partnership Platform (AEPP) launched at CoP22 through the provision of new and additional resources;
6. **ACKNOWLEDGES** the progress made in advancing the AREI by the co-leaders along with the Coordinator of Renewable Energy in the African continent and **COMMENDS** the ongoing efforts in the operationalization of the initiative in accordance with the previous decisions of the Summit of the African Union; and

STRESSES the importance of ensuring full coordination and cooperation with the AMCEN and the CAHOSCC in this regard;

7. **WELCOMES** the convening of the meeting of the African Heads of States and Government in Marrakesh on 16 November 2016 at the invitation of His Majesty Mohamed VI, King of Morocco, under the title “the first African Summit of Action”, on the margins of CoP22; and **TAKES NOTES** of its outcomes including the establishment of three commissions dedicated to Sahel region, Chaired by the Republic of Niger, the Congo Basin region, chaired by the Republic of Congo, the Island States, chaired by the Republic of Seychelles; and **STRESSES** the importance of ensuring full coordination and cooperation with the AMCEN and the CAHOSCC in this regard;
8. **REQUESTS** the AGN in collaboration with the Commission and AMCEN to elaborate a High-Level Framework for Monitoring and Evaluating Climate Support in the context of jointly mobilized annual USD 100 billion goal by 2020 by Developed Countries with a view to enhancing the scale, country-driven and ownership of action in Africa, and strengthening outcomes to address climate change and sustainable development.

DRAFT
DECLARATION ON THE SITUATION IN
PALESTINE AND THE MIDDLE EAST
Doc. EX.CL/993(XXX)

WE, the Heads of State and Government of the African Union, having met at our Twenty Eighth Ordinary Session of the AU Assembly in Addis Ababa, Ethiopia, from 30 to 31 January 2017;

Taking Note of the Report on the Situation in the Middle East and Palestine, and **recalling** all resolutions and decisions of the Organization of African Unity/African Union on the Situation in Palestine towards achieving lasting peace and security in the Middle East;

Reaffirming our full support to the Palestinian people and the State of Palestine under the leadership of President Mahmoud Abbas in their quest for the restoration of their legitimate right to establish an independent state co-existing peacefully with the State of Israel and **commending** the recent reconciliation deal reached on 15 January 2017 in the Russian capital Moscow, between Palestinians Organizations to form a unity government;

Reiterating our wish for the peaceful resolution of the Arab-Israeli conflict in accordance with the principles of international law and all relevant United Nations resolutions to ensure the establishment of an independent Palestinian state on the borders of June 1967 with East Jerusalem as its capital;

Renewing our call for the resumption of negotiations between the two sides in order to reach a just, comprehensive and lasting peace in the Middle East;

Re-Reaffirming our full support to all initiatives aimed at bringing peace to the region in particular the Arab Peace Initiative and the French initiative of holding international peace conference aimed at re-launching negotiations to solve the Palestine-Israeli conflict on specific timeframe;

Condemning the illegal settlements in the West Bank, Jerusalem, and in the occupied territory of the Syrian Golan Heights and the continued occupation of Palestinian lands and the Judaization campaign aimed at changing all Islamic and Christian features of the Holy City and reducing the Palestinian population to the fullest extent through the confiscation of their lands and the destruction of their homes and all measures of collective punishment;

Denouncing the Israeli practices against the Palestinian prisoners and detainees, including women and children, which are contrary to the international law and international humanitarian law;

Calling on the Israeli government to release all Palestinian and Arab political prisoners and detainees in the Israeli jails immediately and unconditionally.

Equally Demanding that Israel refrains from using acts of terrorism against civilian populations as well as arbitrary arrests of Palestinians including children and women

which is an act of violation of international laws and human rights norms including the Geneva Convention on the Rights of Women and Children;

WE HEREBY:

1. **DEMAND** the International Community to find an ever-lasting solution for the Arab-Israeli Conflict based on the relevant international resolutions and the Arab Peace Initiative;
2. **CALL ON** the international community to exert pressure on Israel to stop all settlement activities, release Palestinian and Arab Political prisoners in Israeli jails and support the efforts of the Palestinians for membership in international agencies and to join international conventions and protocols;
3. **FURTHER CALL ON** members of the international community to refrain from transferring embassies and diplomatic missions accredited to Israel from Tel Aviv to the city of Jerusalem, in order to achieve the foundation of peace based on a two-state solution;
4. **SUPPORT** the outcomes of the International Peace Conference based on the French Initiative and Call for the launching of serious negotiations to resolve the Israeli-Palestinian conflict on the basis of the two-state solution;
5. **REJECT** the illegal settlements by the Israeli occupation and **HIGHLY COMMEND** the position of the UN Security Council in its resolution 2334 of 24 December 2016, which emphasizes the illegality of the settlements built in flagrant violation of international law;
6. **CONDEMN** the land and sea blockage imposed by Israel on the Gaza Strip, which has led to the deterioration of the economic and humanitarian situation, and **DEMAND** an immediate lifting of all restrictions on the Gaza Strip;
7. **REQUEST** the UN Security Council to shoulder its responsibilities in maintaining international peace and security, by taking the necessary steps to resolve the Arab-Israeli conflict in all its aspects, to achieve a just, comprehensive and lasting peace in the region based on the principle of a two-state solution, according to the 1967 borders, and apply the provisions of relevant international law and its previous decisions in this regard;
8. **URGE** Member States to boycott goods and products that are produced and exported from the settlements built on the occupied Palestinian territories including East Jerusalem;
9. **REQUEST** the United Nations and the Quartet to intervene decisively with a view to pressure Israel to commit to the process of serious peace negotiations;
10. **FURTHER REQUEST** Member States to continue to support the Palestinian people in their struggle to establish a sovereign state over its national territory with Quds El-Sharif (Jerusalem) as its capital;

11. **REAFFIRM** the right of the Palestinian people to establish their own Palestinian Independent State with East Jerusalem as its capital on its borders of June 1967, and supports the Palestinian approach to obtain full membership of the State of Palestine at the United Nations;
12. **REITERATE** that a just, comprehensive and lasting peace in the Middle East, demands a full withdrawal of Israel from the occupied Arab and Palestinian territories to the line of June 1967, including the Syrian Golan Heights and territories still occupied in southern Lebanon;
13. **WELCOME** the UNESCO resolution of 26 October 2016 on the conservation of the current status of the Old City of Jerusalem and **CALL ON** all stakeholders to respect this resolution.
14. **CALL UPON** Member States to abide by the Common African Position mentioned in Declarations of AU Summits when the Palestinian issue is discussed in regional and international arenas.

DRAFT
DECLARATION ON THE COMMEMORATION OF THE TENTH 10TH
ANNIVERSARY OF THE OPERATIONALIZATION OF THE AFRICAN
COURT ON HUMAN AND PEOPLES' RIGHTS
Doc. EX.CL/999(XXX)

We, the Heads of State and Government of the African Union, meeting at the 28th Ordinary Session of the Assembly, held in Addis Ababa, Ethiopia, from 30 to 31 January 2017;

Recalling Executive Council Decision EX.CL. Dec. 903 (XXVIII), requesting the African Court on Human and Peoples' Rights (the Court) to "present, in collaboration with the AU Commission and the PRC, at the July 2016 Ordinary Session of the Assembly, through the Executive Council, a Declaration on the Commemoration of the 10th Anniversary of the Operationalization of the African Court on Human and Peoples' Rights".

Recalling the adoption of the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights (the Protocol) on 9 June 1998, in Ouagadougou, Burkina Faso;

Noting that the Protocol was established to enhance the protective mandate of the African Commission on Human and Peoples' Rights (the Commission) in particular, and the enjoyment and protection of human and peoples' rights on the continent generally;

Noting further the entry into force of the Protocol on 25 January 2004, the election of the first Judges of the Court in January 2006, and the swearing-in of the said Judges in July 2006, during the 7th Ordinary Session of the Assembly, held in Banjul, The Gambia, from 1 to 2 July 2006;

Noting also that 2016 marks the Tenth (10th) Anniversary of the operationalization of the African Court on Human and Peoples' Rights; and has been declared African Year of Human Rights with particular focus on the rights of women;

1. **CONGRATULATE** the Court, as it commemorates its Tenth Anniversary, for the laudable role it has played, in collaboration with other relevant stakeholders, particularly Member States, National Human Rights Institutions, Bar Associations and Civil Society Organisations and other partners, in enhancing the protection of human and peoples' rights in Africa;
2. **RECALL** in particular the contribution of the Court in the development of the African human rights jurisprudence;
3. **REITERATE** our commitment made in the Banjul Declaration on the 25th Anniversary of the African Charter on Human and Peoples' Rights, adopted during the 7th Ordinary Session of the Assembly in July 2006, and in this regard, **RE-AFFIRM** our full support to the Court, and commit ourselves to provide the necessary human and financial resources to allow the Court to discharge its functions effectively and efficiently, as well as to fully cooperate with and render all the necessary assistance to the Court;

4. **FURTHER REITERATE** our intention to strengthen the protection of human rights in particular, and the justice system on the continent as a whole, including the fight against impunity;
5. **CONCERNED** that almost two decades after the adoption of the Protocol, only 30 Member States have ratified it and only 8 have deposited the declaration under Article 34(6) thereof;
6. **CONGRATULATE** the 30 State Parties that have ratified the Protocol, that is, Algeria, Benin, Burkina Faso, Burundi, Cameroon, Chad, Congo, Côte d'Ivoire, Comoros, Gabon, The Gambia; Ghana, Kenya, Libya, Lesotho, Malawi, Mali, Mauritania, Mauritius, Mozambique, Niger, Nigeria, Uganda, Rwanda, Sahrawi Arab Democratic Republic, Senegal, South Africa, Tanzania, Togo and Tunisia;
7. **FURTHER CONGRATULATE** the seven (7) State Parties that have deposited the declaration under Article 34(6) of the Protocol, namely: Benin, Burkina Faso, Côte d'Ivoire, Ghana, Malawi, Mali and the United Republic of Tanzania, and encourage the Republic of Rwanda to reconsider its decision to withdraw the said declaration;
8. **REITERATE** Executive Council decisions EX.CL./Dec.842(XXV) of June 2014 and EX.CL/Dec.865(XXVI) of January, 2015, urging those States that have not already done so, to take all necessary measures to ratify the Protocol and deposit the Article 34(6) declaration, as we commemorate the Tenth Anniversary of the Court and celebrate African Year of Human Rights with particular focus on the rights of women;
9. **RECALL** the adoption of the Protocol on Amendments to the Protocol on the Statute of the African Court of Justice and Human Rights, in Malabo, Equatorial Guinea (Malabo Protocol) in June, 2014, which seeks to fight impunity on the continent;
10. **NOTE WITH CONCERN** that more than two years after the adoption of the said Protocol, only nine (9) Member States have signed and none have ratified it;
11. **CONGRATULATE** the 9 States that have signed the Protocol, that is, Benin, Chad, Congo, Ghana, Guinea Bissau, Kenya, Mauritania, Sierra Leone and Sao Tomé and Príncipe;
12. **URGE** all Member States of the African Union to manifest their commitment to the protection of human rights, justice and the fight against impunity, by taking urgent and necessary measures to ratify the Malabo Protocol;
13. **REDEDICATE** ourselves to ensuring respect for human and peoples' rights, justice and the fight against impunity as pre-requisites for the attainment of our common vision of a united and prosperous Africa.

DRAFT
RESOLUTION ON CHAGOS ARCHIPELAGO
Doc. EX.CL/994(XXX)

The Assembly,

1. **TAKES NOTE** of the Report of the Chairperson on the activities of the AU Commission;
2. **HAVING REGARD** to the unlawful excision of the Chagos Archipelago, including Diego Garcia, from the territory of Mauritius by the United Kingdom, the former colonial power, prior to the independence of Mauritius, in violation of international law and UN Resolutions 1514 (XV) of 14 December 1960 and 2066 (XX) of 16 December 1965 which prohibit colonial powers from dismembering colonial territories prior to granting independence, as well as UN Resolutions 2232 (XXI) of 20 December 1966 and 2357(XXII) of 19 December 1967;
3. **REAFFIRMS** that the Chagos Archipelago, including Diego Garcia, forms an integral part of the territory of the Republic of Mauritius and that the decolonization of the Republic of Mauritius will not be complete until it is able to exercise its full sovereignty over the Chagos Archipelago;
4. **RECALLS** In this regard the previous resolutions adopted by the Assembly, in particular, Resolution Assembly/AU/Res.1 (XXV) of June 2015 of the Assembly of the African Union held in Johannesburg, South Africa, expressing its full support to the efforts and actions in accordance with international law, including those of a diplomatic and legal nature at the level of the United Nations system, which may be taken by the Government of the Republic of Mauritius for the early and unconditional return of the Chagos Archipelago, including Diego Garcia, to the effective control of the Republic of Mauritius;
5. **NOTES** that at the request of the Government of the Republic of Mauritius, an item entitled “Request for an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965” has been included in the agenda of the 71st Session of the United Nations General Assembly and that action on that item is likely to be taken in June 2017;
6. **RESOLVES** to fully support the action initiated by the Government of the Republic of Mauritius at the level of the United Nations General Assembly with a view to ensuring the completion of the decolonization of the Republic of Mauritius and enabling the Republic of Mauritius to effectively exercise its sovereignty over the Chagos Archipelago, including Diego Garcia;
7. **DECIDES** to remain seized of the matter and **REQUESTS** the Commission to report on progress and the implementation of this decision to the Assembly in June/July 2017.

DRAFT
RESOLUTION ON RECENT DEVELOPMENTS IN THE
CUBA-UNITED STATES OF AMERICA RELATIONS

The Assembly,

1. **WELCOMES** the steps taken by the Governments of the republic of Cuba and the United States of America to improve their bilateral relations and create bonds of peaceful coexistence and mutual benefit;
2. **CALLS FOR** the lifting of the long-standing unjust economic, commercial and financial blockade on Cuba;
3. **URGES** the President of the United States to take into account the positive results achieved in bilateral relations during the last few years.

DRAFT MOTION

We, the Heads of State and Government of the African Union, meeting in our 28th Ordinary Session in Addis Ababa, Ethiopia on 30 January 2017, denounce and condemn in the strongest terms, the injustice meted out to African youth at a time when they celebrate one of the most unifying and momentous events in the world, the African Cup of Nations.

Throughout the Continent, our peoples have unfortunately been frustrated and prevented from watching and joyfully experiencing these moments of jubilation for Africa, due to the monopolistic stance dictated by pure commercial interests that international lobbies and financial powers bring to bear on the direct control of television broadcasting rights.

These prohibitive and inconsiderate fees, which our broadcasters cannot afford, much less hundreds of millions of young Africans, deprive them the right to participate in an event which should be an African festival and a great opportunity for rapprochement and sharing of cultures among our peoples.

We demand that a law on the terms and conditions of broadcasting sporting events of great significance be adopted at continental level and at the level of each Member State, and that measures and actions be taken to put an end to the unjust and discriminatory broadcasting market rights in the Continent, which deprive the large majority of Africa's youth from watching competitions.

Furthermore, in order to put a definitive end to this injustice, particularly at a time when our appeal coincides with the theme for the year 2017, which we have rightly dedicated to the youth of Africa, we urgently call on all African bodies in charge of youth and sports, to work resolutely towards the re-establishment of equity and justice for Africa, particularly its youth.