ECONOMIC COMMISSION FOR AFRICA

Sixteenth meeting of the Technical Preparatory Committee of the Whole
Addis Ababa, Ethiopia
24-28 April 1995

ECONOMIC COMMISSION FOR AFRICA

Thirtieth session of the Commission/twenty-first meeting of the Conference of Ministers
Addis Ababa, Ethiopia
1-4 May 1995

ISSUES FROM THE SUBSIDIARY ORGANS, SECTORAL BODIES AND GOVERNING BOARDS OF ECA-SPONSORED INSTITUTIONS CALLING FOR ACTION BY THE CONFERENCE OF MINISTERS
1. This document contains resolutions, recommendations and decisions brought to the attention of the Commission, for consideration, adoption or information, which have been adopted by its subsidiary organs since its last session, and which are not otherwise the subject of separate items of the agenda of the present meeting.

1. **ISSUES CALLING FOR ACTION BY THE COMMISSION**

2. The following are resolutions and decisions adopted by subsidiary organs of the Commission and by one of its sponsored institutions, which are brought to the attention of the Conference of Ministers for consideration and adoption.

A. **Twelfth meeting of the Intergovernmental Committee of Experts of the MULPOC for North Africa**

   (Tangier, Morocco, 13-16 March 1995)

   **Food security**

   The Intergovernmental Committee of Experts of the MULPOC for North Africa

   Referring to the dire need to ensure food security in North African countries,

   Taking note of the studies conducted on regional cooperation with a view to achieving food security in the North African subregion,

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   Taking note of the studies conducted on regional cooperation with a view to achieving food security in the North African subregion,
B. Tenth meeting of the Conference of African Ministers of Transport and Communications


Implementation of phase II of the programme for the second United Nations Transport and Communications Decade in Africa (UNITACDA II)

The Conference of African Ministers of Transport and Communications meeting in Addis Ababa, Ethiopia, on 20 and 21 March, 1995,


Referring to United Nations General Assembly resolution 46/456 of 20 December 1991 launching the implementation of the Decade programme and decision 48/455 of 21 December 1993 on additional resources for the second United Nations Transport and Communications Decade in Africa,

Recalling also its resolution ECA/UNTACDA/Res.93/89 of 13 March 1993 on implementation of the programme of UNITACDA II work programme,

Having considered the mid-term evaluation of the Decade and the action programme derived therefrom,

Reaffirming the continued relevance and critical importance of UNITACDA II, especially towards achieving the goals of the Abuja Treaty (1991) establishing the African Economic Community,

Noting with concern in particular the low level of programme implementation due to the lack of resources,

1. Urges member States to make every effort to implement the Decade programme by undertaking, inter alia, the following specific activities:

   (a) Facilitating and encouraging national coordinating committee activities by providing them with the necessary human and financial resources to enable them to accomplish their assigned tasks;

   (b) According priority to national projects which contribute to the achievement of Decade objectives;

   (c) Coordinating and strengthening national efforts in fund-raising so as to be able to access regional IPFs from such sources as the Lomé Convention for the implementation of the Decade programme.

   (d) Taking into account the environmental impact of all transport and communications development projects;

2. Recalls that new projects to be proposed for inclusion in the Decade programme should conform to the principles and the criteria already adopted and be submitted to the executing agencies, specifying among other things;

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(a) The time frame for implementation;

(b) Resource requirements, availability and prospective sources; and

(c) The description and assignment of tasks among the various partners;

3. Invites member States and intergovernmental organizations to involve the subregional and subsectoral working groups in the design of regional action programmes concerning transport and communications and provide them with every assistance necessary for participating effectively in the implementation of the UNTACDA II programme;

4. Requests intergovernmental organizations to take active part in the UNTACDA II programme by carrying out in their regular work programme activities listed in the UNTACDA II programme with priority given to those that make for regional integration;

5. Requests the United Nations Development Programme to increase the level of its support to UNTACDA II by funding part of the regional action programme for the implementation of the second phase of the UNTACDA II programme;

6. Invites all donors to contribute further to the implementation of the programme approved by the tenth meeting of the Conference of African Ministers of Transport and Communications;

7. Further requests the United Nations General Assembly to provide additional resources within the regular budget of the Economic Commission for Africa to enable it to pursue the major activities of the Decade action programme within its regular budget;

8. Further requests the African, Caribbean and Pacific "Coordinating" Ministers of the European Development Fund to give the appropriate priority to the Decade projects and programmes in the preparation of their national and regional indicative programmes under the second financial protocol of the Lomé IV Convention;

9. Further calls upon the development banks and participating financial institutions to continue to work with the UNTACDA II programme machinery to provide coordinated and efficient support to the development of transport and communications in Africa;

10. Finally appeals to the World Bank to maintain a high level of involvement in and contribution to the implementation of the UNTACDA II programme;

11. Especially requests African financial institutions to provide further support to the UNTACDA II programme, particularly by taking systematically into account the guidelines and priorities of the Decade in the preparation of the action plans for African countries;

12. Requests the Executive Secretary of the Economic Commission for Africa to:

(a) Disseminate systematically among all UNTACDA II partners information on the implementation of the Decade through workshops, seminars, symposia and information bulletins;

(b) Play a far more active role in coordinating the UNTACDA II programme and strengthen its own capacity to provide the necessary technical back-stopping in support of programme implementation;

(c) Ensure that future evaluations of the implementation of UNTACDA II are based on a critical analysis of the degree to which Decade objectives have been achieved;
(d) Prepare a consolidated report on the status of implementation of all UNTACDA II projects using reports drafted by member States and intergovernmental organizations on the situation with regard to the status of their projects;

13. Further requests the subsectoral working groups to initiate such regional action as would provide a framework for intervention by those countries which plan to commercialize or privatize their transport and communications sector;

14. Decide that the Resource Mobilization Committee shall henceforth be known as the UNTACDA II Advisory Committee on Programme Promotion and adopts its term of reference as laid down in the report of the Conference;

15. Also requests the UNTACDA II Advisory Committee on Programme Promotion to lay emphasis on assistance to member countries in seeking, arranging and mobilizing funds for projects approved under the UNTACDA II programme;

16. Appeals to all financial institutions that are members of the Advisory Committee to play a more active role in support of the Committee's mission by providing it with the required technical expertise;

17. Requests the subsectoral groups to assist in the evaluation of projects falling within their area of competence and in the coordination and integration of the Africa regional work programmes of the United Nations specialized agencies with those of UNTACDA II.


(Addis Ababa, Ethiopia, 4 and 5 January 1995)

3. The fourth ordinary meeting of the Governing Board of the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders (UNAFRI), held in Addis Ababa on 4 and 5 January 1995, decided to submit the following three matters to the ECA Conference of Ministers for its consideration, in accordance with the Statute of UNAFRI:

(a) The financial position of UNAFRI;

(b) Changes in the composition of the Governing Board;

(c) Rotation in the chairmanship of the UNAFRI Governing Board.

Decision 1. Financial position of UNAFRI

4. According to the Statute of the Institute, the Conference of Ministers is the final authority on various policy matters affecting the Institute. Under Article IX (1), it is stipulated that "The Institute shall derive its financial resources from annual contributions made by member States as determined by the Conference of Ministers and from voluntary contributions by donors."

5. Since its establishment, the operational activities of the Institute have been made possible largely through the financial assistance of UNDP, which ended in October 1994. Since the cessation of UNDP funding, the Institute has found itself in a very serious financial crisis which is threatening its very existence.

Most member States have failed to fulfil their financial obligations to the Institute. Thus whereas the expected contributions from member States for the period 1989 to 1994 amounted to US$1,257,616, only $208,663 was remitted to the Institute during that period, notwithstanding repeated appeals to member States to honour their financial obligations, by the Institute's management and its Governing Board, particularly its Chairman who is the Executive Secretary of ECA. The status of assessed contributions and remittances for the period 1989-1994 appears in the following table:

**Status of contributions and payments for the period 1989-1994**

(Remittances shown are according to the period they fall under and NOT according to the dates received)

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6. The Conference of Ministers is requested to consider the following measures, among others:

(a) The establishment of a mechanism for member States to make timely remittances, including payment of arrears within a reasonable time, to guarantee both the survival of the Institute and the implementation of its work programme;

(b) Appealing to governments which have not yet acceded to the Statutes of the Institute to do so;

(c) Making a special appeal to the Administrator of the United Nations Development Programme to renew UNDP's financial support to the Institute, taking into account the difficult economic and financial situation faced by most countries in the African region.

Decision 2. Proposed changes in the composition of the UNAFRI Governing Board

7. Member States representation on the Governing Board of UNAFRI is specified in Article V paragraph (1) (b) of the Institute’s Statutes which stipulate (the Statutes are annexed to this document):

"a representative each of two member States from each of the five subregions of the United Nations Economic Commission for Africa, selected by the Conference of Ministers; each such representative shall be selected on the basis of his or her expertise and experience in crime prevention and criminal justice, to serve as a full member."

8. Furthermore, paragraph (3) of Article V specifies that the above-mentioned members of the Board

"shall hold office for a period of four years and may be eligible for re-election provided, however, that in making selections for the first time, the Conference of Ministers shall direct that one-half of the member States selected by it shall retire two years after serving and shall be replaced by the same number of member States selected by the Conference of Ministers for the purpose."

9. All the current members of the Governing Board were appointed by the ECA Conference of Ministers in April 1988 and half of them are due to be replaced in accordance with the above-mentioned Article of the UNAFRI Statute. Accordingly, the Conference of Ministers is requested to approve the following proposed changes in the composition of the UNAFRI Governing Board in order to allow the new membership to serve for the next four years, i.e. from May 1995 to April 1999.
### Proposed changes in the composition of the UNAFRI Governing Board

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<tr>
<th>Member States of UNAFRI</th>
<th>Present Board members</th>
<th>Proposed Board members 1995-1999</th>
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<tr>
<td><strong>Tangier MULPOC subregion</strong></td>
<td>Egypt, Morocco</td>
<td>Egypt, Tunisia</td>
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<td><strong>Niamey MULPOC subregion</strong></td>
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*Uganda is a member by virtue of being the host country of UNAFRI.*
Decision 3. Rotation in the chairmanship of the UNAFRI Governing Board

10. Article V (1) (a) of the UNAFRI Statutes provides that:

"The Governing Board shall consist of:

(a) The Executive Secretary of the United Nations Economic Commission for Africa (hereinafter referred to as the Executive Secretary), or his representative who shall be ex-officio Chairman of the Governing Board; as representative of the Secretary-General of the United Nations;"

The fourth ordinary meeting of the Governing Board of UNAFRI considered the question of the dual role of ECA as Chairman of the Governing Board and executing agency of UNDP/United Nations funds to UNAFRI and proposed that ECA's role should be limited to the executing functions. To this effect, the Board recommended that the chairmanship of the Board should be held by member States on a rotational basis, from among the members of the Governing Board, for a period of at least one year. This requires amendments to the relevant article of the UNAFRI Statutes.

11. Consequently, the ECA Conference of Ministers is requested to consider and approve the following amendments to Article V of the UNAFRI Statutes:

(a) Article V (1)(a): delete the words "who shall be ex-officio Chairman of the Governing Board". The whole paragraph (a) should, therefore, read:

"The Executive Secretary of the United Nations Economic Commission for Africa (hereinafter referred to as the Executive Secretary), or his representative, as representative of the Secretary-General of the United Nations."

(b) Article V (2) should be amended by introducing a paragraph (a) and making the current paragraph 2 to be 2 (b). The new paragraph 2 will, therefore, read as follows:

"(a) The Chairmanship of the Board shall be held by member States on a rotational basis, from among the members of the Governing Board, for a period of one year, provided that no member State shall hold office for a consecutive period of more than two years;"

"(b) The Director of the Institute, who shall be the Secretary of the Governing Board, shall attend the meetings of the Board in a consultative capacity."

II. ISSUES BROUGHT TO THE ATTENTION OF THE CONFERENCE

13. The following is a summary of other resolutions and recommendations adopted by the subsidiary organs and brought to the attention of the Conference for information.
A. Twelfth meeting of the Intergovernmental Committee of Experts of the MULPOC for North Africa
(Tangier, Morocco, 13-16 March, 1995)

1. Strengthening the operational capacity of the MULPOC for North Africa

14. The Intergovernmental Committee of Experts, though quite satisfied that the MULPOC technical staff has been strengthened, is still however concerned that the human and financial resources needed to carry out the organization's activities are lacking. It therefore requests member States to resume their contributions to the United Nations Trust Fund for African Development (UNTFAD) and second to the MULPOC national experts to support its activities.

2. Locust control

15. Aware of the need to combat the scourge of locusts in the subregion, the Intergovernmental Committee of Experts recommends that the preventive control project elaborated by FAO should be implemented in and expanded to all areas where migrating locusts swarm, and requests member States to institute a solid information exchange system for combating this scourge.

3. Regional cooperation for the establishment of an agricultural common market

16. Aware of the important role played by agricultural cooperation in the subregion and of the numerous studies on the subject, the Intergovernmental Committee of Experts requests the ECA to conduct an analytical review of these studies, and to set up a special committee of experts to carry out a feasibility study on an agricultural common market. The Intergovernmental Committee of Experts further requests that a cooperation and harmonization mechanism should be set up by ECA and AMU to consider agricultural policy issues.

4. Evaluation of the impact of the GATT Agreements on the goods and services trade of countries in the subregion

17. Considering the impact of the General Agreement on Tariffs and Trade (GATT) agreements on the trade of goods and services, the Intergovernmental Committee of Experts recommends that information should be compiled both on the external trade and on the services sector (especially transport) of countries in the subregion, and urges the developed countries to specify the type of aid they are prepared to provide to the North African countries.

5. Technical services of the ECA Multidisciplinary Regional Advisory Group (ECA-MRAG)

18. The Intergovernmental Committee of Experts recommends that member States should take advantage of the free technical advisory services provided to them by the ECA Regional Advisory Group, given that these services are provided only at the specific request of member States, and requests that the Commission includes a number of activities to be carried out in the ECA-MRAG work programme during the 1996-1997 biennium.

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5 ECA/TNG/MULPOC/ICE/XII/10/REV.1, Report of the twelfth meeting of the Intergovernmental Committee of Experts of the MULPOC for North Africa.
6. Programme for the integration of women in economic and social development

19. Upon consideration of the "African Platform for Action", the Intergovernmental Committee of Experts recommends that a women's programme coordinator should be appointed permanently to the MULPOC for North Africa and further recommends that material support should be provided for the programme.

B. Fourteenth meeting of the Intergovernmental Committee of Experts of the MULPOC for Central Africa
(Yaounde, Cameroon, 20-24 March 1995)

20. **Recommendation:** Convinced of the MULPOC's role and the support that the States ought to give to it, the Intergovernmental Committee of Experts invites the States to set up national follow-up committees to support the MULPOC in implementing its work programme, and requests ECA to conduct or extend the coverage of studies on devaluation and cross-border markets, as well as briefing seminars to be conducted by ECA-MRAG on subregional and regional integration and cooperation treaties and conventions.

C. Third meeting of the Intergovernmental Committee of Experts of the MULPOC for East and Southern Africa
(Gaborone, Botswana, 21-24 March 1995)

The current staffing situation of the secretariat of the Lusaka-based MULPOC

21. The Committee noted with satisfaction the steps taken by the Executive Secretary to strengthen the MULPOC during the current biennium. It however remained concerned at the little or no job security provided to most of the staff. It urges that temporary staff should be given regular appointments and to fill the vacant posts.

D. Fourteenth meeting of the Intergovernmental Committee of Experts of the MULPOC for West Africa

22. **Recommendation to member States and intergovernmental organizations:** Aware of the MULPOC’s expanded role following its strengthening, the Intergovernmental Committee of experts requests member States to provide the MULPOC with the necessary financial and human resources, among other things by making contributions to UNTFAD, to enable the MULPOC to play its expected role. The Committee also recommends that institutional coordination, harmonization, cooperation and sensitization structures should be set up and strengthened in various areas of common interest such as agriculture, animal husbandry, fishery, forestry and industry. It further recommends that medium- and long-term financial structures be set up for development projects. The Committee also recommends an increase in the volume of study funds of regional and subregional banks.

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7 ECA/MULPOC/LUS/ICE/III/20, Draft report of the Intergovernmental Committee of Experts of the Lusaka-based MULPOC.

23. **Recommendation to the Niamey-based MULPOC:** The Intergovernmental Committee of Experts requests ECA to continue to collaborate with and assist member States and IGOs in the subregion as well as to promote its work programme among member States.

**E. Tenth meeting of the Conference of African Ministers of Transport and Communications**

1. **Reactivation of the Trans-African Highway Bureau**

24. Recalling the various relevant resolutions and the adoption of the Statutes of the Trans-African Highway Bureau, the Conference congratulates those member States which have signed and ratified the Statutes, urges those member States which have yet to do so to sign and ratify the statutes and decides that Article 26 (a) of the Statutes of the Trans African Highway Bureau, in accordance with Article 23 of the Statutes should be amended to reduce the number of ratifications required for these Statutes to enter into force, from 26 to 18 member States, and urges the member States to pay up their contributions upon the entry into force of the Statutes. The ECA Executive Secretary should report on progress made in implementing this resolution at the eleventh meeting of the Conference of African Ministers of Transport and Communications.

2. **Implementation of regional programmes of UNTACDA II on human resources and institutional development and transport database**

25. The Conference, recognizing the importance of and reaffirming its commitment to human resource, institutional and transport database development projects required for the realization of UNTACDA II objectives, urges member States, despite the resource mobilization constraints, to adopt harmonized and standardized methods for data collection and calculation of performance indicators, to ensure that national focal points are established and national databases strengthened. The Conference further appeals to all United Nations agencies, as well as all other institutions dealing with the development of transport statistics in Africa, to effectively collaborate with and assist ECA in the development of the African regional transport database.

3. **Yamoussoukro Declaration on a New African Air Transport Policy**

26. The Conference, aware of the importance of the Yamoussoukro Declaration, appeals to member States to pursue its implementation. It further calls on member States to take measures towards implementing the decisions taken in Mauritius, and on the ECA to intensify its coordination efforts.

4. **Contribution of the United Nations Conference on Trade and Development (UNCTAD) to the implementation of phase II of the second United Nations Transport and Communications Decade in Africa**

27. The Conference, recalling and referring to the various resolutions concerning UNTACDA II, aware of the important role UNCTAD plays toward the achievement of the Decade’s goals, appeals to the Secretary-General of UNCTAD to ensure that African countries take advantage of the opportunities offered in the area of transport sector information technology under the work programme of UNCTAD IX and requests the Executive Secretary of ECA to transmit this resolution to the Chairman of the Preparatory Committee of the African Group in Geneva, and to the Secretary-General of UNCTAD and also to report on the progress made in the implementation of this resolution during its next meeting.
STATUTE OF THE AFRICAN INSTITUTE FOR THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS

The Conference of Ministers of the Economic Commission for Africa,

Recalling resolution 1979/20 of the United Nations Economic and Social Council requesting the Secretary-General of the United Nations to establish an institute for Africa in crime prevention and the treatment of offenders,

Recalling its own resolution 392 (XV) of April 1980 requesting the Executive Secretary of the United Nations Economic Commission for Africa in consultation with the relevant international and regional organizations, to take all appropriate steps to establish a United Nations Regional Institute for the Prevention of Crime and the Treatment of Offenders for Africa,

Noting resolution 19 of the sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders recommending that the Secretary-General should view favorably the establishment in Africa of a regional body for social defence studies, along the lines of those already set up in the other regions of the world,


Recalling further its own resolution 609 (XXII) of April 1987 reaffirming the importance and the role the Institute is called upon to play in assisting member States in assessing criminality trends in the region and their impact on national development; in the formulation of policies and programmes for the prevention of crime and treatment of offenders; in the promotion of criminal justice reforms in the context of development; and in encouraging technical cooperation among African countries in the field of crime prevention and criminal justice,

Convinced that the establishment of an African Institute for the Prevention of Crime and Treatment of Offenders would serve these purposes,

NOW THEREFORE and on behalf of the member States of the United Nations Economic Commission for Africa, HEREBY AGREE AS FOLLOW:

ARTICLE I

Establishment and membership of the Institute

1. The African Institute for the Prevention of Crime and the Treatment of Offenders (hereinafter referred to as "the Institute") is hereby established.

2. The member States of the Institute shall be the member States of the United Nations Economic Commission for Africa (hereinafter referred to as member States) who have acceded to the Statute of the Institute.
ARTICLE II

Objectives of the Institute

The objectives of the Institute shall be to:

(a) Assist in the formulation of policies and programmes for the prevention of crime and the treatment of offenders in the context of overall national development planning;

(b) Design and conduct training programmes for different categories and levels of criminal justice and related personnel, including policy-makers, administrators, judges, prosecutors, lawyers, policy and correctional officials, teachers, social workers and researchers, with focus on the training of trainers, through special interdisciplinary courses, workshops, seminars, fellowships, internships and study tours, in order to upgrade this public service sector, as well as impart new knowledge and skills;

(c) Undertake policy-oriented studies and research on priority problems in the region, including the collection of information on crime trends and their impact on development and on crime prevention and criminal justice policies and programmes in the region, in order to provide an empirical basis for policy formulation and decision-making;

(d) Assist in the development of effective policies and programmes for the prevention and control of juvenile crime and delinquency and for the treatment of juvenile offenders;

(e) Establish a framework for a data bank and to promote the exchange and transfer of knowledge, expertise and experience and dissemination of information to governments, scholars, practitioners, researchers and organizations involved in the field;

(f) Assist in the promotion of innovative approaches to crime prevention and criminal justice reforms in accordance with the United Nations norms and guidelines, drawing upon African traditions and orientation, as well as on new developments in the field;

(g) Promote collaboration among the governments of the region in formulating common policies and undertaking joint action on matters of mutual concern in crime prevention and control, including appropriate legal agreements and practical agreements, at the regional and subregional levels.

ARTICLE III

Headquarters of the Institute

1. The Headquarters of the Institute shall be determined by the Conference of Ministers of the United Nations Economic Commission for Africa (hereinafter referred to as the "Conference of Ministers").

2. The Executive Secretary of United Nations Economic Commission for Africa (UNECA) shall, as soon as practicable, on behalf of the Conference of Ministers and the Institute, enter into an agreement with the government of the member State where the Headquarters of the Institute shall be established, concerning the provision and grant, as the case may be, of such adequate premises, facilities, services, privileges and immunities as may be required for the efficient operation of the Institute.
ARTICLE IV

Organs of the Institute

The Institute shall have the following organs:

(a) The Governing Board;
(b) The Secretariat; and
(c) Such other organs as may be necessary for the efficient discharge of its functions and as may be established by the Conference of Ministers.

ARTICLE V

Governing Board: Composition and Functions

1. The Governing Board shall consist of:

(a) The Executive Secretary of the United Nations Economic Commission for Africa (hereinafter referred to as "the Executive Secretary"), or his representative, who shall be ex officio Chairman of the Governing Board, as the representative of the Secretary-General of the United Nations;
(b) A representative from two member States, from each of the five subregions of the United Nations Economic Commission for Africa, selected by the Conference of Ministers; each such representative shall be selected on the basis of his or her expertise and experience in crime prevention and criminal justice, to serve as a full member;
(c) A representative of the host country as a full member,
(d) A representative of the Organization of African Unity without the right to vote;
(e) A representative of the United Nations Centre for Social Development and Humanitarian Affairs without the right to vote;
(f) A representative of the United Nations Development Programme without the right to vote;
(g) Representatives of other United Nations institutes for the prevention of crime and treatment of offenders, by invitation of the Governing Board, as observers without the right to vote;
(h) Representatives of international organizations or institutions interested in the activities of the Institute, as well as donor agencies and eminent experts may also attend the meetings of the Governing Board at the invitation of the Board, as observers without the right to vote.

2. The Director of the Institute, who shall be the Secretary of the Governing Board, shall attend the meetings of the Board in a consultative capacity.

3. The members of the Governing Board selected under subparagraph (b) of paragraph 1 of this article shall hold office for a period of four years and may be eligible for re-election provided, however, that, in making selections for the first time, the Conference of Ministers shall direct that one-half of the
member States selected by it shall retire two years after serving and shall be replaced by the same number of member States selected by the Conference of Ministers for the purpose.

4. Only full members of the Governing Board shall have the right to vote.

5. When the office of a member of the Governing Board becomes vacant during the term of the member appointed thereto because of retirement, death, incapacity or any other cause, or when the term expires, the Conference of Ministers may appoint a person for the remainder of the term or for a further term in accordance with subparagraph (b) of paragraph 1 of this article.

6. The Governing Board shall:

(a) Prescribe the general principles, policies and guidelines governing the operation of the Institute and provide directives of a general nature as to the implementation of such principles, policies and guidelines;

(b) Propose, for the consideration and approval of the Conference of Ministers, the work programmes of the Institute and their corresponding budgets;

(c) Review and approve the annual reports of the Director of the Institute on the activities of the Institute, and submit them to the Conference of Ministers for its consideration and approval;

(d) Appoint professionally qualified accountants to audit the accounts of the Institute;

(e) Examine and approve the financial reports and accounts of the Institute;

(f) Prescribe the administrative, financial, staff, and other rules and regulations governing the operation and administration of the Institute;

(g) Propose, for the consideration and approval of the Conference of Ministers, the contributions to be paid by member States and by the host country to the Institute;

(h) Appoint the Director and senior staff of the Institute;

(i) Establish such technical, financial, and administrative committees as may be necessary for the efficient discharge of the functions of the Institute;

(j) Convene periodically, meetings of donors to consider the funding of the activities of the Institute;

(k) Perform any other functions as may be necessary for the efficient discharge of the functions of the Institute.

7. The Governing Board shall meet in ordinary session once a year and may hold extraordinary sessions at the request of its Chairman or one-third of its members. The first meeting of the Governing Board shall be initiated by the Secretariat.

8. The Governing Board shall adopt its own rules of procedure, including procedures for the convening of special or extraordinary sessions.
ARTICLE VI

The Chairman of the Governing Board

The Chairman shall:

(a) Cause to be prepared the draft agenda of the meetings of the Governing Board;
(b) Convene and preside over the meetings of the Board;
(c) With the approval of the Governing Board, solicit financial and other assistance from donors, including individual governments outside the region, the United Nations and its specialized agencies or other interested intergovernmental and non-governmental organizations or other sources.

ARTICLE VII

The Director and Secretariat of the Institute

1. The Secretariat of the Institute shall be headed by the Director who shall be the chief executive and administrative officer of the Institute, under the direction of the Governing Board.

2. The Director of the Institute shall be appointed by the Governing Board as provided for in subparagraph (h) paragraph 6 of Article V of this Statute. The Director shall initially be appointed for a period of three years and shall be eligible for renewals for such periods as the Governing Board may decide.

3. The Director shall act as the legal representative of the Institute.

4. Subject to the policy directive and guidance of the Governing Board, the Director shall, in particular:

(a) Plan, direct, coordinate and manage all the technical and administrative activities of the Institute;
(b) Prepare and submit for the consideration of the Governing Board the programme of work, budget, annual reports and audited accounts of the Institute;
(c) Prepare and submit for the consideration of the Governing Board the annual contributions and other special fees to be paid by member States;
(d) Administer the property and assets of the Institute and cause proper accounts to be kept and ensure their timely auditing and presentation to the Governing Board;
(e) Collect and receive contributions, fees and debts due to the Institute;
(f) Subject to the staff and administrative rules and regulations of the institute, and to such direction as the Governing Board may give, recruit and appoint staff other than those provided for under subparagraph (h) of paragraph 6 of Article V of this Statute;
(g) Establish and maintain close contact and collaborative ties with governments, the United Nations and its specialized agencies, institutions, professional associations, individuals and other bodies, and represent the Institute in its external and public relations at national, regional and international levels;

(h) Maintain ongoing relations with the host Government and ensure that the provisions of the host Agreement are observed;

(i) Promote fund-raising by exploring ways and means of ensuring and strengthening the financial base of the Institute;

(j) Prepare and submit for the consideration of the Governing Board, draft rules and regulations governing the financial, administrative and other activities of the Institute;

(k) Prepare, in consultation with the Chairman of the Governing Board, the agenda for the meetings of the Governing Board and attend the meetings as an ex officio member;

(l) Keep abreast of mandates by the relevant legislative bodies and new developments in the field of crime prevention and criminal justice and promote their implementation in accordance with the objectives of the Institute;

(m) Undertake such other assignments and activities as may be mandated by the Governing Board.

5. The Director and other staff of the Institute shall neither seek nor accept any instructions, personal remunerations, or gifts from any government or authority or from any sources external to the Institute and shall refrain from any other action which might reflect on their position as international officials.

6. The member States undertake to respect the international character of the responsibilities of the Director and other staff of the Institute and not seek to influence any of their nationals and other staff in the discharge of such responsibilities, provided that this shall not preclude the secondment to the Institute of staff by governments, organizations or institutions.

ARTICLE VIII

Status, capacity, privileges and immunities

1. To enable it to fulfill its objectives and the functions with which it is entrusted, the Institute shall possess, in the territory of each member State of the United Nations Economic Commission for Africa, a juridical personality independent of such States and shall not be considered as forming part of any government. To these ends, the status, privileges, immunities and exemptions set forth in paragraphs 2 to 16 of this Article shall be accorded to the Institute in the territory of each member State.

2. The Institute shall have the capacity to:

(a) Enter into contract,

(b) Acquire and dispose of immovable and movable property; and

(c) Sue and be sued.
3. The Institute shall enjoy the autonomy and freedom required for achievement of its objectives and functions, with particular reference to choice of subjects and methods of teaching and research, the selection of persons and institutions to share in its tasks and freedom of expression.

4. The Institute, its property and assets shall enjoy immunity from every form of legal process except, as in any particular case, it has expressly waived its immunity, provided, however, that no measure of execution shall be taken against the property and assets of the Institute without the consent of the Director of the Institute.

5. The headquarters of the Institute will be inviolable. The property and assets of the Institute shall be immune from search, requisition, confiscation, expropriation, and any other form of interference whether by executive, administrative, judicial or legislative action.

6. The archives of the Institute, and, in general, all documents belonging to it or held by it, shall be inviolable.

7. The Institute, its assets, income and other property shall be exempt from all forms of direct taxes, provided, however, that such tax exemption shall not extend to the owner or lessor of any property rented by the Institute.

8. Articles imported by the Institute for official purposes shall be exempt from customs duties and other levies and from prohibitions and restrictions on imports and exports, it being understood that customs duty may be payable at the appropriate rate on all or any of the articles imported in accordance with this paragraph, if such articles are sold or disposed of locally, unless they are sold to persons or bodies entitled to purchase such goods without the payment of duty. The Institute however shall not be exempt from the payment of charges for services rendered.

9. The Institute shall, in respect of any transaction to which it is a party, be exempt from taxes, recording fees, and documentary taxes.

10. Members of the Governing Board of the Institute, who are not otherwise officials of the United Nations or of the specialized agencies of the United Nations, attending meetings of or convened by the Institute, shall, while exercising their functions and during their journey to and from the territories of the member States of the Institute, enjoy the following privileges and immunities:

   (a) Immunity from personal arrest or detention and from seizure of their personal and official baggage;

   (b) Immunity from legal process of any kind and in respect of words, spoken or written and of acts performed by them in their official capacity;

   (c) Inviolability of all papers and documents;

   (d) The right to use codes and to receive papers or correspondence by courier or in sealed bags;

   (e) Exemption in respect of themselves and their spouses from immigration restrictions, alien registration or national service obligations;

   (f) The same facilities in respect of currency and exchange restrictions as are accorded to representatives of foreign governments on temporary official missions; and
(g) The same immunities and facilities in respect of their personal baggage as are accorded to
diplomatic envoys.

11. The staff of the Institute who are not otherwise officials of the United Nations or specialized
agencies of the United Nations shall:

(a) Be immune from legal process in respect of words spoken or written and all acts performed
by them in their official capacity;

(b) Be exempt from taxation on salaries and emoluments paid to them by the Institute;

(c) Be immune from national service obligations;

(d) Be immune, together with their spouses and dependent children, from immigration and alien
registration;

(e) Be accorded the same privileges in respects of exchange facilities as are accorded to officials
of comparable rank forming part of diplomatic missions;

(f) Be given, together with their spouses and dependent children and relatives, the same
repatriation facilities in time of international crisis as diplomatic envoys;

(g) Have the right to import for their personal use free of duty and other levies, prohibitions and
restrictions on imports, within the first twelve months of arrival:

(i) Their furniture, household and personal effects;

(ii) One motor vehicle purchased before customs clearance or from a bonded warehouse.

functions in connection with the Institute shall enjoy appropriate privileges and immunities provided under
and Immunities of the Specialized Agencies as the case may be.

13. Without prejudice to the foregoing provisions, the member States undertake to accord to
all representatives of the member States, all the staff of the Institute and experts providing advice or
assistance to the Institute, such facilities and courtesies as are necessary for the exercise of their functions
in connection with the Institute.

14. The Director of the Institute shall have the right and duty to waive the immunity of any staff
of the Institute who is not an official of the United Nations or of a specialized agency of the United Nations,
in cases where, in his opinion, the immunity would impede the cause of justice and could be waived without
prejudice to the interests of the Institute.

15. All persons undergoing training or taking part in schemes for the exchange of personnel at
the Institute in pursuance of the provisions of this Statute and who are not nationals of the member States
concerned, shall have the right of entry into, sojourn in, transit through and exit from the territory of each
member State when such entry, sojourn, transit or exit is necessary for their assignment. They shall be
granted facilities for speedy travel and visas, where required, shall be granted promptly and free of charge.
16. The Institute shall cooperate at all times with the appropriate authorities of the member States to facilitate the proper administration of justice, secure the observance of national laws and prevent the occurrence of any abuse in connection with the privileges, immunities and facilities mentioned in this Article.

ARTICLE IX

Financial resources of the Institute

1. Without any prejudice to possible financing of core staff and recurrent operations of the Institute from the regular budget of the United Nations, the Institute shall derive its financial resources from annual contributions made by member States as determined by the Conference of Ministers and from voluntary contributions by donors.

2. The Institute may derive further resources in cash or in kind from the United Nations and its specialized agencies.

3. Member States may be required to make special contributions in cash or in kind in respect of programmes or projects carried out in their territories. The nature and extent of such contributions shall be determined and provided for in agreements entered into by the parties concerned.

4. The Director of the Institute shall, after consultation with the Governing Board, have the power to accept gifts, legacies, grants, loans, and other contributions in cash or in kind from governments, organizations, institutions, and from other sources, provided that such gifts, legacies, grants, loans or other contributions are intended for the furtherance of the objectives of the Institute.

5. The Director of the Institute shall submit to the Governing Board at each annual meeting a report on contributions made and due under paragraphs 1 to 4 of this Article.

6. The funds of the Institute shall be held and administered solely for the purpose of the Institute and in accordance with the financial rules and regulations governing the operations of the Institute or directives issued by the Governing Board.

7. Funds administered by and for the Institute shall be subject to audit by an accountant appointed by the Governing Board.

ARTICLE X

Expenses

1. The Director of the Institute may incur expenses for its administrative and operational purposes in accordance with an approved programme of work and within the limits of the budget of the Institute and in accordance with the financial rules and regulations promulgated from time to time by the Governing Board.

2. Expenses incurred by representatives of member States or cooperating States and organizations and by their alternates and advisers, as well as expenses incurred by observers for the purpose of attending meetings of the Governing Board, or other organs of the Institute, shall normally be borne by the respective governments or organizations.
ARTICLE XI

Obligations of Member States

The member States shall cooperate in every way so as to assist the Institute in achieving its objectives. They shall in particular:

(a) Facilitate the timely collection, exchange and dissemination of data and information on crime prevention and the treatment of offenders;

(b) Make available to the Institute training and research facilities on such terms and conditions as may from time to time be agreed with the appropriate organ of the Institute;

(c) Make available to the Institute national personnel on such conditions as may be agreed upon with the appropriate organs of the Institute;

(d) Accord such facilities, privileges and immunities as may be required under the provision of Article VIII of this Statute;

(e) Make timely payment of their annual contributions as may be specified under the provisions of Article IX paragraph 1 of this Statute.

ARTICLE XII

Assistance by the Secretariats of the United Nations

1. The Institute shall seek and maintain close working relationships with the secretariats of the United Nations Economic Commission for Africa and the United Nations Centre for Social Development and Humanitarian Affairs, which shall, within the limits of their resources, assist the Institute in the achievement of its objectives.

2. Notwithstanding the provisions of this Statute, the secretariat of the United Nations Economic Commission for Africa shall, as appropriate, be entrusted by the Conference of Ministers with the responsibility of seeking assistance from cooperating States and organizations for the implementation of the approved work programme of the Institute, and acting as the executing agency in respect of which it has been able to obtain assistance.

ARTICLE XIII

Relationship with Other States, Institutions and Organizations

1. The Institute shall seek and maintain active cooperation with States, not member States, which are desirous of assisting the Institute in achieving its objectives.

2. The Institute shall collaborate closely with the General Secretariat of the Organization of African Unity in furtherance of its objectives.

3. The Institute shall maintain close working relationships with other regional and interregional institutes with similar objectives, United Nations organizations and specialized agencies, academic institutions, as well as non-governmental organizations involved in the field of crime prevention and the treatment of offenders.
ARTICLE XIV

Publications and rights to intellectual property

1. The Institute shall freely publish any results of its research, training and other activities.
2. All rights, including title and copyright in any work or publications, shall be vested in the Institute.
3. The Institute shall use its copyright and other rights and any financial or other benefits derived therefrom in furtherance of its objectives.

ARTICLE XV

Settlement of disputes

1. Any dispute that may arise concerning the interpretation or application of any of the provisions of this Statute which cannot be settled by the parties to the dispute shall be submitted to the Conference of Ministers.
2. If the Conference of Ministers cannot reach a decision on the dispute, or if the decision of the Conference is not accepted by the concerned parties to the dispute, either party to the dispute may request that the matter be submitted to arbitration by an Arbitral Tribunal composed of three members who shall be nominated as follows:
   (a) Each party shall nominate one arbitrator;
   (b) The third arbitrator, who shall be the Chairman of the Arbitral Tribunal, shall be chosen by agreement between the arbitrators nominated by the parties.
3. If the Arbitral Tribunal is not constituted within a period of three months from the date of the request for arbitration, any one of the parties to the dispute may request the Chairman of the Conference to make the necessary nominations, except that, in cases where the Institute is a party to a dispute, the nominations shall be made by the Executive Secretary of the United Nations Economic Commission for Africa.
4. The decision of the Arbitral Tribunal shall be binding on the parties to the dispute.
5. The provisions of paragraphs 2 and 3 of this Article shall be without prejudice to the choice of any other mode of settlement that the parties concerned may decide upon.

ARTICLE XVI

Dissolution

1. The Institute may be dissolved by agreement of two thirds of the members of the Conference of Ministers.
2. In the case of dissolution of the Institute in pursuance of the provisions of paragraph 1 of this Article, the Governing Board shall make provisions for the orderly liquidation of the Institute.
ARTICLE XVII

Entry into force

This Statute shall enter into force upon its adoption by the Conference of Ministers and signature by ten member States.

ARTICLE XVIII

Final and transitional provisions

1. This Statute, of which the Arabic, English and French texts are equally authentic, shall be deposited with the Executive Secretary of the United Nations Economic Commission for Africa.

2. Upon the entry into force of this Statute and until the establishment of the permanent Secretariat of the Institute, the functions of the Secretariat shall be performed by the United Nations Economic Commission for Africa.

IN WITNESS WHEREOF the undersigned, being accredited by their respective governments have signed this Statute.