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CONFERENCE OF AFRICAN MINISTERS IN CHARGE OF BORDER ISSUES

**PREPARATORY MEETING OF EXPERTS ON
THE AFRICAN UNION BORDER PROGRAMME**

**ADDIS ABABA, ETHIOPIA
4 – 7 JUNE 2007**

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DECLARATION ON THE AFRICAN UNION BORDER PROGRAMME AND ITS IMPLEMENTATION MODALITIES

ADDIS ABABA, 7 JUNE 2007

Preventing Conflicts, Promoting Integration

**DECLARATION ON THE AFRICAN UNION
BORDER PROGRAMME AND ITS IMPLEMENTATION MODALITIES**

ADDIS ABABA, 7 JUNE 2007

PREAMBLE

1. We, the Ministers in charge of Border Issues in the Member States of the African Union, meeting in Addis Ababa, Ethiopia, on 7 June 2007 to deliberate on the African Union Border Programme and its implementation modalities:

- a) **Inspired by** the conviction that the achievement of greater unity and solidarity among African countries and peoples require the reduction of the burden of borders separating African States;
- b) **Convinced that**, by transcending the borders as barriers and promoting them as bridges linking one State to another, Africa can boost the on-going efforts to integrate the continent, strengthen its unity, and promote peace, security and stability through the structural prevention of conflicts;
- c) **Guided by:**
 - (i) the principle of the respect of borders existing on achievement of national independence, as enshrined in the Charter of the Organization of African Unity (OAU), Resolution AHG/Res.16(I) on border disputes between African States, adopted by the 1st Ordinary Session of the Assembly of Heads of State and Government of the OAU, held in Cairo, Egypt, in July 1964, and article 4 (b) of the Constitutive Act of the African Union,
 - (ii) the principle of negotiated settlement of border disputes, as provided for notably in Resolution CM/Res.1069(XLIV) on peace and security in Africa through negotiated settlement of boundary disputes, adopted by the 44th Ordinary Session of the Council of Ministers of the OAU, held in Addis Ababa, in July 1986, as well as in the relevant provisions of the Protocol relating to the establishment of the Peace and Security Council of the African Union,
 - (iii) the shared commitment to pursue the work of border delimitation and demarcation as factors for peace, security and economic and social progress, as affirmed notably in Resolution CM/Res.1069(XLIV), as well as in the Memorandum of Understanding on Security, Stability, Development and Cooperation in Africa (CSSDCA), adopted by the Assembly of Heads of State and Government, held in Durban (South Africa), in July 2002, which provides for the delimitation and demarcation of African boundaries by 2012, where such an exercise has not yet taken place,

- (iv) the will to accelerate and deepen the political and socio-economic integration of the continent and provide it with a popular base, as stipulated in the Constitutive Act, and
 - (v) the decision adopted by the 8th Ordinary Session of the Assembly of Heads of State and Government of the African Union, held in Addis Ababa in January 2007, encouraging the Commission to pursue its efforts at structural prevention of conflicts, especially through the implementation of the Border Programme of the African Union;
- d) **Having considered** the report of the meeting of government experts [BP/EXP/3(II)], held in Addis Ababa from 4 to 5 June 2007, and on the basis of the Summary Note on the African Union Border Programme and its Implementation Modalities [BP/EXP/2(II)].

HAVE AGREED AS FOLLOWS:

On the justification of the AU Border Programme

2. We underscore the relevance of the African Union Border Programme, based on the need:

- a) to address the persistence of the border delimitation and demarcation issue: Subject to an inventory to be undertaken, it is estimated that less than a quarter of African borders have been delimited and demarcated. This situation is fraught with risks, as the lack of delimitation and demarcation gives rise to 'undefined zones', within which the application of national sovereignty poses problems, and constitutes a real obstacle to the deepening of the integration process;
- b) to address cross-border criminal activities;
- c) to consolidate the gains made in the regional integration process, as demonstrated by the existence of the Regional Economic Communities (RECs) and of numerous large-scale cooperation initiatives; and
- d) to facilitate the development of cross-border integration dynamics, which are sustained by local stakeholders.

3. We stress the need to put in place a new form of pragmatic border management, aimed at promoting peace, security and stability, but also at facilitating the integration process and sustainable development in Africa.

On the objectives of the AU Border Programme

4. We request the Commission of the African Union to coordinate the implementation of this Programme whose overall goal is the structural prevention of conflicts and the promotion of regional and continental integration and, more specifically:

- a) the facilitation of, and support to, delimitation and demarcation of African boundaries where such exercise has not yet taken place;
- b) the reinforcement of the integration process, within the framework of the RECs and other large-scale cooperation initiatives;
- c) the development, within the framework of the RECs and other regional integration initiatives, of local initiative cross-border cooperation; and
- d) capacity building in the area of border management, including the development of special education and research programmes.

On the implementation principles of the AU Border Programme

5. We note that the implementation of the AU Border Programme will be effected at several levels – national, regional and continental, and that the responsibility of each of these levels should be determined on the basis of the principle of subsidiarity and respect of the sovereignty of States.

a) Border delimitation and demarcation

- (i) The delimitation and demarcation of boundaries depend primarily on the sovereign decision of the States. They must take the necessary steps to facilitate the process of delimitation and demarcation of African borders, including maritime boundaries, where such an exercise has not yet taken place, by respecting, as much as possible, the time-limit set in the Solemn Declaration on the CSSDCA. We encourage the States to undertake and pursue bilateral negotiations on all problems relating to the delimitation and demarcation of their borders, including those pertaining to the rights of the affected populations, with a view to finding appropriate solutions to these problems.
- (ii) The Regional Economic Communities and the African Union should assist the States in mobilizing the necessary resources and expertise, including by facilitating exchange of experiences and promoting inexpensive border delimitation and demarcation practices.
- (iii) The Commission of the African Union should conduct a comprehensive inventory of the state of African boundaries and coordinate the efforts of the Regional Economic Communities, and launch a large-scale initiative aimed at sensitizing the international community on the need to mobilize the required resources and any other necessary support. On their part, the former colonial powers should submit all information in their possession regarding the delimitation and demarcation of African borders.

b) Local cross-border cooperation

- (i) The local stakeholders should be the direct initiators of cross-border cooperation under the auspices of the States.

- (ii) The States should, with the assistance of the African Union, facilitate local initiatives and mandate the Regional Economic Communities to implement regional support programmes for cross-border cooperation.
- (iii) The Regional Economic Communities should provide the legal framework necessary for the formalization of cross-border cooperation and establish regional funds for financing such cooperation.
- (iv) The Commission of the African Union should take the necessary steps to ensure that cross-border cooperation is included in the major international initiatives launched in favour of the continent, as well as play a coordination role and facilitate the exchange of information and good practices between the Regional Economic Communities.

c) *Capacity building*

The African Union Border Programme should, on the basis of close coordination between the different levels concerned, carry out an inventory of African institutions that offer training in this domain, explore avenues for collaboration with relevant training centres outside Africa, and, on the basis of the above, design a capacity building programme in the area of border management.

On partnership and resource mobilization

6. We request the Commission of the African Union to coordinate and implement the Border Programme on the basis of an inclusive governance involving the member States, the Regional Economic Communities, parliamentarians, locally elected representatives and civil society, as well as the European border movement, particularly the Association of European Border Regions, the United Nations and other African Union partners having experience in cross-border cooperation.

On the initial measures for launching the Border Programme and the follow-up of this Declaration

7. We request the Commission of the African Union to take the following initial measures:

- a) launching of a Pan-African survey of borders, through a questionnaire to be sent to all member States, in order to facilitate the delimitation and demarcation of African borders;
- b) identification of pilot regions or initiatives for the rapid development of regional support programmes on cross-border cooperation, as well as support for the establishment of regional funds for financing local cross-border cooperation;
- c) working out modalities for cooperation with other regions of the world to benefit from their experiences and to build the necessary partnerships;
- d) initiating an assessment with regard to capacity building;

- e) initiating the preparation of a continental legal instrument on cross-border cooperation; and
- f) launching a partnership and resource mobilization process for the implementation of the AU Border Programme.

8. We recommend to institutionalize the Conference of African Ministers in charge of Border Issues, which should be held on a regular basis.

9. We request the Chairperson of the Commission of the African Union, as soon as the present Declaration is endorsed by the Executive Council, to take the necessary steps for its implementation, including the enhancement of the capacity of the Conflict Management Division of the Peace and Security Department of the Commission, and to report regularly to the relevant organs of the African Union on the status of implementation.