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**2nd CONFERENCE OF AFRICAN MINISTERS
IN CHARGE OF BORDER ISSUES**

**ADDIS ABABA, ETHIOPIA
22 – 25 March 2010**

AUBP/EXP-MIN/7(II)

**DECLARATION ON THE AFRICAN UNION BORDER PROGRAMME AND
THE MODALITIES FOR THE PURSUIT AND ACCELERATION OF ITS IMPLEMENTATION**

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PREAMBLE

1. We, the Ministers of the Member States of the African Union (AU) in charge of Border Issues, meeting in Addis Ababa, Ethiopia, on 25 March 2010, on the occasion of our 2nd Conference, to deliberate on the African Union Border Programme (AUBP) and agree on the modalities for the pursuit and acceleration of its implementation:

- a) **Recalling** the Declaration on the African Union Border Programme and its Implementation Modalities [BP/MIN/Decl.(II)], adopted on the occasion of our first Conference held in Addis Ababa, on 7 June 2007, as well as decisions EX.CL/Dec.370(XI) and EX.CL/461 (XIV), adopted by the 11th and 14th Ordinary Sessions of the Executive Council, held respectively in Accra, Ghana, from 25 to 29 June 2007, and in Addis Ababa, from 29 to 30 January 2009;
- b) **Further recalling** the relevant principles which underpin the AUBP, particularly:
 - (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 in Cairo, in July 1964, and 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 Border 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 AU,
 - (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 of the OAU, held in Durban (South Africa), in July 2002,
 - (iv) the will to accelerate and strengthen the political and socio-economic integration of the continent and to provide it with a popular base, as stipulated in the Constitutive Act;

- c) **Having considered** the report of the meeting of governmental experts, held in Addis Ababa from 22 to 23 March 2010, and on the basis of the documents presented by the different experts and resource persons:

HAVE AGREED AS FOLLOWS:

ON THE ACHIEVEMENTS OF THE AUBP SINCE ITS LAUNCHING

2. We note with satisfaction the considerable progress made in the implementation of the AUBP. In particular, we welcome the holding of the various regional sensitization workshops on the AUBP: Kampala (Uganda), in September 2008, for East Africa; Algiers (Algeria), in October 2008, for North Africa; Ouagadougou (Burkina Faso), in April 2009, for West Africa; Libreville (Gabon), in May 2009, for Central Africa; and Windhoek (Namibia), in October 2009, for Southern Africa.
3. We further note with satisfaction the organization by the AU Commission in Maputo, Mozambique, in December 2008, of the 2nd International Symposium on the Management of Land, River and Lake Boundaries, and the holding in Accra, Ghana, in November 2009, of the Conference on Maritime Boundaries and the Continental Shelf.
4. Regarding more specifically the delimitation and demarcation of African borders where such an exercise has not yet taken place, we note the launching of the Pan-African survey of borders, through the questionnaire sent to all Member States and the ongoing process for the establishment, within the Commission, of an Information Boundary System, as well as the efforts made by some countries for the delimitation and demarcation of their borders.
5. Concerning cross-border cooperation, we note the holding in Bamako (Mali), on 3 and 4 November 2009, of the meeting of governmental experts on the draft Convention on Cross-Border Cooperation, as well as the initiatives taken at national, bilateral and regional levels to promote this cooperation, whether at local level or within the framework of the Regional Economic Communities (RECs) or other regional initiatives.
6. Regarding capacity building and popularization, we express satisfaction at the creation of a special unit in charge of the implementation of the AUBP within the Department of Peace and Security of the AU Commission, as well as at the ongoing efforts for the publication of two books entitled respectively: "From Barriers to Bridges – the African Union Border Programme" and "Boundary Delimitation and Demarcation – An African Union Border Programme Practical Handbook".
7. On partnership and resource mobilization, we acknowledge the measures taken by the AU Commission to establish the necessary partnerships and to mobilize the resources required for the implementation of the AUBP, in accordance with the initial measures for the launching of the Programme identified by the June 2007 Declaration. We particularly express our gratitude to Germany for its financial and technical support, through GTZ, for the implementation of the AUBP, as well as to other partners who have provided technical support.

8. We congratulate the AU Commission and the RECs, as well as the Member States concerned for the results so far achieved, and urge all the stakeholders to persevere in their efforts and to work closely together for the realization of the objectives of the AUBP.

ON THE CHALLENGES TO BE ADDRESSED

9. In spite of the strides thus made, we observe that there is still much to be done in order to translate into reality the commitments enshrined in our Declaration of June 2007 and contribute effectively to the realization of the objectives of the AUBP, namely the structural prevention of conflicts and the strengthening of the integration processes on the continent. We note that the implementation of the AUBP faces many challenges, including:

- (i) inadequate technical and financial support for the delimitation and demarcation of African borders;
- (ii) lack of a holistic view of the needs in terms of delimitation and demarcation, due to the limited number of responses received from Member States to the questionnaire sent to them. This situation hinders efforts for resource mobilization;
- (iii) absence of a continental legal framework for the development of cross-border cooperation and the lack of funds to finance local initiative cross-border cooperation activities;
- (iv) lack of sustained interaction between neighbouring States for the implementation of the various aspects of the AUBP;
- (v) inadequacy of existing human and technical capacities for the effective implementation of the AUBP.

10. We note that the majority of African borders are yet to be defined, and that this situation constitutes a hindrance in the efforts to promote peace and integration. We are also concerned by the persistence of border disputes, particularly those related to cross-border resources.

ON MEASURES TO BE TAKEN TO SPEED UP THE IMPLEMENTATION OF THE AUBP

11. In this context, we reiterate our determination to redouble our efforts for the effective implementation of the AUBP and, to that end, to ensure the involvement of all the bodies concerned in our countries and to mobilize all the resources required for that purpose.

a) Border delimitation and demarcation

12. Mindful of the multidimensional and unifying aspect of the AUBP, and on the basis of the implementation principles enshrined in our Declaration of June 2007, particularly that of subsidiarity and respect for the sovereignty of Member States, we agree as follows:

- (i) commitment by Member States to speed up the delimitation and demarcation process of borders where such an exercise has not yet taken place, it being understood that this exercise depends 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, by respecting, as much as possible, the time-limit set in the Solemn Declaration on the CSSDCA, which provides for the completion of this operation by 2012;
- (ii) the transmission, to the AU Commission, by the Member States which have not yet done so, at the latest in June 2010, of the questionnaire duly filled on the status of African borders sent to them in April 2008;
- (iii) on the basis of the responses of Member States and other relevant factors, the submission by the Commission to the relevant organs of the AU, at the latest in January 2011, of recommendations on the extension of the 2012 deadline or on the granting of individual exemptions;
- (iv) the creation, where appropriate, by Member States of structures in charge of borders and other relevant institutions and transmission to the Commission of their particulars, as well as those of the national experts, in order to facilitate inter-African cooperation in the area of boundary delimitation and demarcation, through the exchange of experiences and the provision of experts, including the establishment, by the Commission, of a pool of experts to assist Member States;
- (v) the allocation by Member States of sufficient budgetary resources for the financing of delimitation and demarcation activities;
- (vi) the adoption of measures to regularly maintain and, where required, densify boundary beacons, in order to make them more visible such that the risks of disputes are reduced. In this respect, Member States should workout and submit to the AU Commission detailed plans, including the related financial costs, in order to facilitate the mobilization of the necessary resources;
- (vii) the need for Member States, in case of border dispute, to make use of all the possible peaceful options, including recourse to negotiation, mediation, conciliation, inquiry, regional and international arbitration and other legal mechanisms and processes, including the International Court of Justice, based on mutual consent. In this respect, we request all the Member States which have not yet done so to take the necessary steps to sign and ratify the Protocol on the Statute of the African Court of Justice and Human Rights. We encourage the Peace and Security Council (PSC) of the AU and the Chairperson of the Commission to fully make use of the powers conferred on them by the PSC Protocol to contribute to the prevention and settlement of border disputes;

- (viii) the acquisition by Member States of up-to-date mapping and cartographic information, as well as of modern survey equipments, in order to facilitate the delimitation and demarcation processes;
- (ix) the establishment, where necessary, by Member States of joint Commissions with their neighbours for the delimitation and demarcation, as well as the management of their borders, and the search, where required, of data on their borders in the colonial archives;
- (x) the development by Member States of strategies to sensitize border populations on the purpose of delimitation and demarcation exercises, so that clearly defined and demarcated borders are seen as a valuable tool for peace, stability and development of border areas;
- (xi) the wide dissemination by the AU Commission of the Handbook on Delimitation and Demarcation to the relevant officials, including field officers involved in delimitation and demarcation.

b) Cross-border cooperation

13. In order to inject new dynamism into the initiatives for cross-border cooperation, we agree on the following:

- (i) the launching by all the RECs and other relevant regional initiatives, before the end of 2010, of comprehensive inventories of existing cross-border cooperation initiatives and agreements in the various regions, in order to popularize them, assess their state of implementation and make recommendations on how they could contribute further to the achievements of the objectives of the AUBP. The AU Commission should coordinate the undertaking of these inventories;
- (ii) the highlighting, to the extent possible, of the links between all the current initiatives for cross-border cooperation and the relevant provisions of the AUBP, with the view of placing them under the umbrella of the Programme and sensitizing all actors involved about its objectives;
- (iii) the strengthening of cross-border cooperation in the area of the prevention and fight against terrorism and cross-border crime, including drug trafficking, and other cross-border threats, such as piracy and other illicit acts on sea, it being understood that the relevant AU institutions and other international institutions should play their rightful role in this respect;
- (iv) the establishment by Member States that have not yet done so of joint cross-border cooperation mechanisms with their neighbours, by 2011;
- (v) the adoption, by the concerned countries, of additional measures for local initiative cross-border cooperation, including the preparation of appropriate legal instruments and the

speeding up of the creation of Regional Funds, as recommended by the June 2007 Declaration on the AUBP;

- (vi) the encouragement, where necessary, for the joint management of natural cross-border resources, while being guided by relevant experiences in the rest of the continent. The AU Commission should facilitate the exchange of experiences in this regard;
- (vii) the elaboration by the Commission of a Handbook on Cross-border Cooperation for the benefit of local stakeholders.

14. We take note of the discussions of the meeting of Governmental experts on the draft Convention on Cross-Border Cooperation. We request the Commission to review the draft Convention in the light of these discussions and to organize, before the end of 2010, a new meeting of governmental experts, to be followed by a Conference of African Ministers in Charge of Border Issues, in order to finalize this instrument for submission to the relevant organs of the AU, at their ordinary sessions scheduled to take place in January/February 2011.

c) Capacity building

15. We reiterate the importance of capacity building for the successful implementation of the AUBP through training, exchange of experiences and research designed to improve the understanding of issues related to borders and to create a base of solid knowledge on border management, as well as for collaboration with the competent structures located outside the continent.

16. More specifically, we agree on the following:

- (i) the inventory of the experts, as well as of research and training institutions which deal with border issues in Africa;
- (ii) the networking among relevant institutions in Africa, as well as between themselves and other similar institutions outside the continent;
- (iii) the development of programmes on border studies and training in management of borders in the universities and the training centres for civilian, as well as immigration, security and defense personnel;
- (iv) the recruitment of additional personnel for the Unit in charge of the AUBP within the Department of Peace and Security, as well as the strengthening of the capacities of this structure.

d) Popularization of the AUBP and follow up with Member States

17. The Conference reiterates the need for an effective popularization of the AUBP in order to facilitate ownership at regional, national and local levels, as well as of a continuous interaction

between the AU Commission and Member States in the implementation process of the Programme. For that purpose, we agree on the following:

- (i) the organization, as soon as possible, by Member States of national workshops bringing together all stakeholders in order to make them aware of the AUBP;
- (ii) the organization, with the support of the AU Commission, Member States and other relevant institutions, of training and sensitization workshops on the AUBP for authorities and populations of border areas, in order to facilitate the implementation of the said Programme;
- (iii) the recourse to the national media and other relevant institutions to popularize the activities undertaken in pursuance of the AUBP, including the translation of working documents into certain African languages;
- (iv) the appointment/designation by Member States of focal points for the AUBP;
- (v) the submission by Member States of regular reports, at least once a year, on the implementation of the AUBP;
- (vi) the institution of an “African Day” of borders, in order to further highlight the importance of the AUBP and encourage additional efforts for its implementation.

e) Partnership and resource mobilization

18. We encourage the Commission to pursue its efforts in order to mobilize further support within and outside the continent. For that purpose, we request the Commission to take the following measures:

- (i) the organization, within the framework of the partnership with the EU, of a Conference for the mobilization of resources to support delimitation and demarcation efforts on the continent, as well as cross-border cooperation;
- (ii) the intensification of exchanges with the various international actors, particularly the EU, the United Nations, the Association of European Border Regions and other partners who have experience in the area of cross-border cooperation;
- (iii) a sustained interaction with the former colonial powers in order to facilitate access to colonial documents relating to borders.

FOLLOW UP OF THE DECLARATION

19. We request the Commission to ensure the follow up of this Declaration and to take all the necessary measures for its implementation, including the elaboration of a matrix for that purpose, which should be communicated to all Member States and other stakeholders.

20. We agree to hold our next meeting in 2012, in order to assess the implementation of the AUBP and determine the measures to be taken to speed up the realization of its objectives.