

**AN EVALUATION OF IMPLEMENTATION OF THE ABUJA
TREATY AND THE AFRICAN INTEGRATION PROCESS
(2002-2012)**

BY

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FLY LEAP

DECLARATION

I, Umar, Dahiru Jongur do hereby declare that this dissertation entitled ‘An Evaluation of implementation of the Abuja Treaty and the African integration process (2002-2012)’ has been written by me in the Department of Political Science/International Studies, Ahmadu Bello University, Zaria under the supervision and guidance of Prof. P.P. Izah, Prof. K. Omojuwa and Dr. M. Faal. All information used from literature has been duly acknowledged in text (body of the work) and a list of references is provided. No part of this dissertation was previously presented elsewhere for another degree or diploma at any university.

Umar, Dahiru Jongur

Signature

Date

CERTIFICATION

This Dissertation entitled “An Evaluation of implementation of the Abuja Treaty and the African integration process (2002-2012)” by Umar Dahiru Jongur meets the regulations governing the award of Doctor of Philosophy (PhD) degree of Ahmadu Bello University, Zaria; and is approved for its contribution to knowledge and literary presentation.

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ABSTRACT

This study evaluates the slow implementation of the Abuja Treaty of 1991 which is to conclude in the year 2028 without the creation of a Free Trade Area in 2011, the treaty which is also called the AEC Treaty as an instrument/ a working agreement for the formation of an African Economic Community (AEC). The Treaty which came into force in 1994 was indicative of renewed consensus and commitment of the Continent's leadership to pursue the economic integration of the continent for growth and development. This is against the background of the failure of earlier framework, namely the Lagos Plan of Action, ratified-Final Act of Lagos of 1980 that mainly envisaged import substitution industrialization for African States' economies. On the other hand, the AEC Treaty envisaged a stage-by-stage formation of an African Economic Community to conclude by 2028, under the supervision of the African Union (AU) Commission in conjunction with the Member States and the Regional Economic Communities (RECs). This integration process is explained in the theories of functionalism and that of regional economic integration. However, barely 14 years to the targeted date of a continental union, a free trade area that was to be established by now has not been established. It broadly explores the dynamic factors that contribute to the slow pace of implementation of African integration plan, despite the consensus among the continent's leaderships as embodied in the Abuja Treaty and now in the AU's Constitutive Act. Using interpretive-qualitative analysis of data drawn from both primary and secondary sources, records of interviews and field notes from a three-month research internship within the African Union Commission, and as a participant observer; the study reveals that mostly, non-complementarities of trade between the African states and the international market, the divergence of member governments' interests to surrender elements of their sovereignty, the AU's reliance on regional economic communities (RECs) that are largely ineffective as building blocks, institutional dysfunction within the AU Commission, which is tasked with the coordination of the implementation of the treaty, and the lack of popular participation in the integration process contributes to the slow progress in the realization of the AEC on the timeline. The study therefore recommends concrete programmes and projects based on comparative advantage in trade complementarity of economies of member states and popular participation, a precondition for an effective integration process and indeed development in Africa.

LIST OF ABBREVIATIONS AND ACRONYMS

ADB	African Development Bank
AEC	African Economic Community
AMU	Arab Maghreb Union
APRM	African Peer Review Mechanism
ASF	African Standby Force
AUC	African Union Commission
AU	African Union
CEMAC	Communauté Economique Monétaire d'Afrique Centrale [Central African Economic and Monetary Community]
CEN-SAD	Community of Sahel-Saharan States
CEWS	Continental Early Warning System
CF SP	Common Foreign and Security Policy
CIAS	Conference of Independent African States
COMESA	Common Market for Eastern and Southern Africa
COPAX	Conseil de Paix et de Sécurité de l'Afrique Centrale [Central African Peace and Security Council]
CSOs	Civil Society Organizations
EAC	East African Community
EASBRIG	Eastern Africa Standby Brigade
ECA	Economic Commission for Africa
ECC AS	Economic Community of Central African States
ECOMOG	ECOWAS Ceasefire Monitoring Group
ECOSOCC	Economic, Social and Cultural Council

ECOWAS	Economic Community of West African States
EEC	European Economic Community
EPAs	Economic Partnership Agreements
ESF	ECOWAS Standby Force
EU	European Union
FOMUC	Force Multinationale en Centrafrique [Multinational Force in Central Africa]
IGAD	Intergovernmental Authority on Development
LPA	Lagos Plan of Action
MDG	Millennium Development Goals
NEPAD	New Partnership for Africa's Development
NGO	Non-Governmental Organization
OAU	Organization of African Unity
ODA	Official Development Assistance
PAP	Pan-African Parliament
PRC	Permanent Representatives Committee
PRSPs	Poverty Reduction Strategy Papers
PSC	Peace and Security Council
RECs	Regional Economic Communities
OAU	Organization of African Unity
SADC	Southern African Development Community
SADCB RIG	Southern African Development Community Brigade
STC s	Specialised Technical Committees
UA	United Africa

UDEAC	Union Douanière Économique de l’Afrique Central [Central African Customs and Economic Union]
UEMOA	Union Economique Monétaire Ouest Africaine [West African Economic and Monetary Union]
UMA	Union du Maghreb Arabe [Arab Maghreb Union]
UN	United Nations
UNDP	United Nations Development Program
UNECA	U N Economic Commission for Africa
WHADN	Western Hemisphere Diaspora Network
WT O	World Trade Organization

CHAPTER ONE

BACKGROUND TO THE STUDY AND RESEARCH DESIGN

1.1 Introduction

The African Economic Community (AEC) Treaty, known also as the Abuja Treaty of 1991, is the second regional plan by the leadership in Africa after the 1980s Lagos Plan of Action and the Final Act of Lagos, which sets a framework for the purposeful, step-by-step integration of the economies of the 54 African states. The Treaty reaffirmed the commitment of member states of the Organization of African Unity (OAU) and now the African Union (AU) to establish, by the year 2028, an African Economic Community in order to foster the economic, social and cultural integration of the Continent. The AEC Treaty effectively came into force in May 1994 after ratification by the member states. It provides for the establishment of the economic community through a gradual process: involving the coordination, harmonization and progressive integration of the activities of existing and future regional economic communities (RECs) in Africa (AEC Treaty, 1994). The RECs are thus regarded as the building blocks of the Community. For different reasons, among which was the post-Cold War induced tensions and crises within most African states, the regional program did not get off well.

By 2001, the continent had undergone a huge wave of democratization and relative political stability. Hence, the leaders of the continent reaffirmed their commitment to the integration in Article 3 (c) of the AU Constitutive Act of 2000 that established the African Union (AU), meaning that the Constitutive Act of the AU replaced the Abuja Treaty thereby, accepting in the new treaty- the AEC project of continental integration with its timeline. The member states expressed their resolve that ‘the union shall accelerate the

political and socio-economic integration of the continent' (AU, 2002). In line with the new resolve, and also to make up for lost time, the Constitutive Act of the AU adjusted the date of establishment of the AEC from 2025 to 2028.

Historically, integration in the form of unity of its people, resources and objectives is one of the strategies adopted by the African leaders to promote unity, independence and development of their continent, which was ravaged by colonialism. A series of Pan African Congresses held from 1900-1945 in Europe set the pace for the evolution of intergovernmental institutions that would see to the realization of their collective interests. Under the banner of the defunct Organization of African Unity, African leaders asserted that the independence and progress of the Continent could only be attained through economic and political integration. The move, however, was driven by intergovernmental relations even though it first started by popular enlightened of educated Africans from within and outside the continent. This aspiration and determination has remained since then despite some setbacks and challenges.

The rationale for regional integration is for African states to have benefits from an enlarged market (economies of scale) and foster unity between them in order to collectively tackle global economic and political marginalization facing the continent. African states have historically been structurally 'condemned' to the status of raw material producers and exporters, and consumers of industrial finished goods in the global economy. The need to alter this arrangement and bring about industrialization partly explains the early phase of African integration (The Final Act of Lagos). The integration drive was also informed by the desire to pool resources of African states to guarantee their independence, which was threatened by post-colonial interferences. Also the successes recorded by the European

Union (EU) encouraged African leaders and scholars alike to pursue the path of intra-regional integration in the continent.

Of note was the process of attainment of independence in most African countries in the 1960s which contributed to the perspectives and unanimity of the African leaders about unity and integration; however that did not help for one consensus on the approach to be adopted. At some point the Continent was split over the approach. There was the Brazzaville group (the conservatives) who were often called Monrovia group on one hand and the Casablanca group (the radical-progressives) on the other. This lack of consensus reflected the divergence of interests among the member countries. However, they all agreed that economic integration would bring about growth and prosperity to the continent and its people. A middle-way arrangement was found in the formation of Organization of African Unity (OAU) in 1963. The collective bargain of the OAU was put to rest when in the 1960s.

Africa and other developing countries challenged inequality arising from terms of international trade. Primary commodities were far cheaper than manufactured goods. Therefore, the industrialized countries made more gains from the then trade relations. More so, the outcome of international trade negotiations during the Kennedy round (1964) at the General Agreement on Tariffs and Trade (GATT) favored the industrialized countries (Jinadu, 1980). Indeed, history has shown that no country ever become rich or developed by exporting primary products or raw materials (Chang and Reinart 2011).

In Africa, efforts towards realizing the goal of industrialization through integration resulted in the establishment of the Lagos Plan of Action and the Final Act of Lagos in 1980. The

plan envisaged the creation of a regional economic union in Africa that would be based on import-substitution. The plan never went off the ground and was to be replaced by another more ambitious program under the Abuja Treaty of 1991, i.e. the establishment of the AEC by the year 2025 and later adjusted to 2028.

The AEC project is thus, theoretically underpinned by an intergovernmental approach in which the nation-states' preferences and interests drive the process. The vertical nature of the state system is against horizontal links that favours integration. This nature originally grew from European-realist nature of the nation- state sown in Africa during the partition of the continent in 1885 for colonialism (Zezeza, 2003). It was this imported European power-politics of nationalism that was responsible for Europe's long regional crises which ultimately led to the recorded world wars as condemned by the idealist scholars. However, the practice of regional integration in Europe led to pacification and development of the European region, rooted in the European Coal and Steel Community (ECSC) established in 1952, (Henderson, 1978). This was after Europe abandoned the US Marshal Plan that engulfed over 400 billion dollars in aid for her reconstruction after World War II but opted for intra-European integration, hence stability of her development (Cini, 2003).

Inspired by the EU, the African leaders adopted the strategy for regional economic integration through the Regional Economic Communities (RECs), which are: the Common Market for Eastern and Southern Africa (COMESA), Economic Community of West African States (ECOWAS), Southern African Development Community (SADC), East African Community (EAC), Economic Community of Central African States (ECCAS), Intergovernmental Authority on Development (IGAD), Community of Sahel-Saharan States (CENSAD) and Arab Maghreb Union (AMU). These RECs eight in number

constitutes the building blocks of the continental community (AEC), with a view to uniting economies of the continent as an economic community or union to address challenges of poverty among its people, in order to remove obstacles of development in cooperative agreements in different spheres at national, sub-regional, regional and international levels. The AU marks out six stages of variable duration of integration over a period of 34 years to bring about the African Economic Community as contained in Article 6 of the Abuja Treaty of 1991. The stages are:

1. Strengthening the RECs in five years (1994-1999);
2. Stabilization of tariffs and other barriers to regional trade, strengthening of regional Integration and infrastructure, coordination and harmonization of RECs in eight years (2000-2007);
3. Establishment of a free trade area and customs union at REC level in ten years (2008-2017);
4. Coordination and harmonization of tariff and non-tariff between RECs in two Years (2018-2019);
5. Establishing of an African Common Market and common policies in four years (2020-2023);
6. Integration of all sectors, establishment of African Central Bank, African single currency- African Economic & Monetary Union and electing the first Pan African Parliament in five Years (2024-2028).

The RECs are therefore the building blocks whose merger will set the pace for an African integration. However, based on the AEC program, by 2011 the process of establishing a

free trade area on the Continent ought to have been at an advanced stage. However, there is no indication that that will be achieved by 2017.

1.2 Statement of the Research Problem

This study evaluates slow implementation of the Abuja Treaty and the African integration process (2002-2012). It seeks to examine the dynamics of centrifugal and centripetal forces that may account for the slowness or lack of progress in the attainment of a free trade area on the continent, a third step sequel to establishment, strengthening and stabilization of the RECs in the AEC practice of implementation of the Abuja Treaty to create a Free Trade Area (FTA) and other level of schemes of the integration agenda that is to be completed in fourteen (14) years from now.

1.3 Research Questions

- Why has there been slow progress in the implementation of the Abuja Treaty and the move towards establishing an AEC, which is envisaged to terminate by 2028?
- What are the challenges of integration in Africa?
- What are the existing trends in integration in Africa?

1.4 Objectives of the Study

The study has the following objectives:

1. To evaluate all level of implementation of the African Economic Community (AEC) Treaty by the AU Commission, the RECs and the Member States.
2. To analyze the apparent slow progress in the African integration process based on the AEC Treaty, which places the RECs as the building blocks.
3. To explore the dynamic factors that may make or mar the successful implementation of the Abuja Treaty.

1.5 Assumptions of the Study

The research work adopts the following assumptions as a guide to the evaluation of the Abuja Treaty and the African integration process, these are:

1. Non-complementary nature of African states economies hinders integration;
2. The slow progress in the process of African economic integration is attributable to member governments' preferences which are due to colonial heritage.
3. The reliance of the AEC architecture on the RECs as building blocks may be a source of delay in the progress of the African economic integration project.
4. The absence of effective popular participation in the integration process makes the AEC process state-centric and subject to high politicization.

1.6 Significance of the Study

There is a large body of literature on the subject matter of integration from the works of Leonard Woolf in the 1930s, David Mitrany-A *Working Peace System* (1943); Ernst

B.Haas-*The Uniting of Europe* (1948); *High Authority of European Coal and Steel Community and Beyond the Nation State* (1974). Also important, are contributions of statesmen like Jean Monnet, Robert Schuman in 1940s and 1950s, Balassa (1962), Eytan Meyers (2002), Dunmoye (2002), Olivier and Fioramanti (2003), Omojuwa (2006), Aminu and Abdullahi (2008), Attahir (1994) Adedeji, SKB Asante (1997 and 2007), Adejumobi and Olukosi (2009), Goldstein and Pevehouse (2010), etc. Works by these scholars on regional integration apart from their contribution to knowledge also gave credence to African integration strategy which posits that regional integration connotes both a process and an end in the climax of integration. The classic works by scholars on integration are, more or less, focused on the developments in Europe, namely pursuit of global peace after devastating wars, and the evolution of the European Coal and Steel Community (ECSC) in 1952. The European community building projects and programs eventually led to the establishment of the European Economic Community (EEC) and the EURATOM in 1958 and the European Community (EC) in 1967, which was transformed into EU in 1993. This European project has become a model to regional cooperation around the world.

From the African perspective however, theoretical and empirical studies on integration have not made adequate and close inquiry on the adopted roadmap on Africa's integration particularly in the 21st century. The African integration project relies on pre-existing sub-regional economic communities as building blocks towards a community. It is therefore an experiment that is unique and unprecedented. Needless to say, the African integration has also been influenced by theoretical and empirical experiments of Europe. Not only Africa, European integration process and studies have influenced the emergence of other regional bodies around the world, like those of North America Free Trade Area (NAFTA),

Association of South-East Asian Nations (ASEAN), Africa Caribbean and Pacific (APC) Asia-Pacific Economic Community (APEC) and Africa-Pacific Economic Forum (APEF) etc. The Africa's integration benefited from the second wave of contemporary regionalism. De Melo and Panagariya (1992) posited that under the impetus of the European Common Market, regionalism spread throughout Africa, Latin America and other parts of the developing world.

This is study therefore important in furthering the frontiers of knowledge about the experience of pursuing regional integration in Africa. That a targeted date for complete merger is agreed upon by 2028 of an economic union, and the road map or a process of regional integration is outlined in the AEC Treaty barely 15 years to its completion, needs to be reviewed, particularly between the study period (2002-2012); since there may not be adequate works like this. More so, Bela Belassa's exposition of the economic integration theory as graphically illustrated by El-Agraa (1961) and Koussi (2005) terminates at the stage of economic and monetary union, a fifth stage of integration without acknowledging a further progressing to a political union that leads to a final political institutional decision making of regional constitution and parliament which is provided in the AEC architecture.

This is therefore what the study seeks to do, to evaluate the implementation of the AEC Treaty and unearth the theoretical value in the experiment so far. Importantly too, Africa's quest for more knowledge on integration for development is therefore imperative and the justification of the study done through a three-month PhD internship as a participant observer at the African Union Commission in 2011 which is an attempt to fill existing gaps in previous literatures reviewed.

It is also against the background of crises of consistent economic decline, unemployment and growing regional poverty despite existence of huge natural and human resources in the continent that makes integration not as an option, but a veritable tool for achieving growth and development of the Continent. Invariably scholars contend that through regional governance, Africa will eventually become an effective player in the global economy, especially in industrialization and trade that does not limit the continent to export of primary products and also no longer a consumer of foreign industrial finished goods and services which will catapult the continent into research and development (R&D). Kwame Nkrumah in 1964 aptly justifies that when he said:

We go on to multiply the advantages of a continental union. Frontier problems will disappear in a continental union. Irritating customs and other formalities will cease to be a barrier separating brother from brother, we can think of the great economic advantage of a common currency and a common market. (Cited in Adejumobi and Olukosi ,2009:14).

These strong words of a late African statesman continue to be relevant after almost half a century.

1.7 Scope and Limitation

The inquiry is on the evaluation of the implementation of the Abuja Treaty and the African integration process (2002- 2012), between 2002 when the AU was formally established to 2012, with reference to ratified treaties and their practices toward the establishment of the AEC by the year 2028 which is barely 15 years away. The study suffers limitations to visit the Secretariats or Commissions of various sub regional economic communities (RECs) across the continent for participant observation but relied on three months approved internship with the African Union Commission at Addis Ababa, Republic of Ethiopia to gather and use primary data from authoritative official reports and the use of participant

observation. Fortunately, the RECs are represented at the AU Commission. Hence, the researcher was able to receive periodic reports on the status of sub regional integration, and also interviewed some of the liaison officers of the RECs at the Commission where data were collected through participant observation. Moreover, the research makes use of secondary data on activities of the RECs, which are available on their websites.

1.8 Organization of Chapters

This dissertation is organized into seven chapters. Chapter one covers the introduction of the study, statement of the problem and other elements of the research design; chapter two is the literature review and theoretical framework; chapter three is the methodology which has the study area, data collection and analysis; chapter four sets the framework of African integration within the institutions of AU and the RECs with their objectives, challenges and achievements; chapter five evaluates key issues of the AEC integration; chapter six evaluates the modus operandi of implementation of the AEC program and the roles of other actors; and chapter seven presents summary, conclusion and recommendations of the study.

CHAPTER TWO

LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2.1 Background to African Integration

As at 1945, only four countries existed in Africa that were relatively independent and enjoyed some level of self determination; but by 1963 there were thirty of them. It was these newly independent states, all former colonies desirous of defending their independence and promoting unity and development, that came together to create the Organization of African Unity (OAU) in 1963. Aware of their material and human endowments, and conscious of their marginalization in the global economy, the African leaders were optimistic that they could squarely address their development challenges through unity and pooling of resources in the continent/region, thus African integration predicated on unity. The experience of Europe was also a case of inspiration.

By the 1990s, however, dictatorship by political leaders, corruption, civil wars, genocide, widespread poverty, and the intervention and manipulation by western powers had relegated Africa to the position of an aid beggar, the world's poorest and least-developed continent, yet the most endowed (Arnold, 2005).

The issue of African economic integration is not new. It first came up at the dawn of independence as a demonstration of the willingness of African Leaders to stem the adverse Effects of Africa's balkanization suffered under colonialism. It was the political and economic reactions to these adverse effects that triggered the establishment of a large number of intergovernmental bodies that were meant to operate in field of integration, to enable African countries to speak with one voice and to ease the constraints linked to the limited size of national markets and the crisis of development. This rapid increase in the number of integration – based 'round tables' reached their peak in the 1980s and

culminated in to the Lagos Plan of Action and Final Act of Lagos. Finally, in the 1990s and the year 2000, the adoption of the Abuja Treaty to establish the African Economic Community within the laws of the Constitutive Act which came into force in the year 2002 establishing the African Union as the new continental body whose major objective is attainment of continental integration. The latter two are now united to form the economic community and political union of African states by the year 2028 through the step- process of regional integration.

Olivier (2003) characterizes regional integration as eclectic in generational sequences rather than motion. They are more in the nature of linear, loose-standing, mutually exclusive stages or episodes rather than cumulative motion or sequences of practical practices of integration. Thereby, suggesting that integration in itself defines at each particular integration scheme than holistically, the entire practices.

According to Olivier (2003) what can be said to be the first phase of African regional integration was dominated by offspring of political forces against colonialism epitomized by the idea of 'African unity', 'African fraternity' or 'Pan-Africanism' which were in contrast with disintegration. These notions represents ethos for African political unification, the creation of a 'United States of Africa' to allow for a single united African political entity as encapsulated by the first Ghanaian president, Kwame Nkrumah in 1963 when he advised: 'seek ye first the political kingdom, and all things shall be added unto you' implies that Africa had to get its political house (political independence) first, before going for economic and social development goals which by implication suggests economic

integration in which states cooperate in a compact of integration schemes and ultimately continental supranationalism, cited in (Yergin and Stanlaw, 1998:83-88).

This implies that Africa had to first get its political house in order before it could move on to economic and social goals of development. Nkrumah received the support of only six states that share in his thoughts and practice on integration which resulted in the Casablanca Group. The majority of the other newly independent African states, 19-member of the Monrovia Group with Nigeria in the lead on the other hand, preferred a 'gradualist' approach articulated as a process starting with economic integration preceding a political union, introduced at the sub-regional level to begin in stages with functional co-operation leading towards climax of economic integration. However, the disagreement between the Casablanca and Monrovia Groups was laid to rest with the formation of the defunct Organization of African Unity (OAU) in 1963 and also the debate on the continental approach to political and economic integration. The disagreement between the two "Groups" led to the comatose state of defunct OAU.

About a half century on, the last remaining proponent of the 'United States of Africa' ideal was the late Libyan Leader Muamar Gaddafi, even though he and other members of Heads of State and Government adopted the AU's strategic plan meant to promote and strengthen continental integration in May, 2004 through gradual- intergovernmentalism. With the new AU, there seems to be a new architecture of continental unity emerging.

The second phase of African regional integration is highlighted by shift from the continental geo-political approach to the sub-regional economic domain of market-driven intra-state or extra-territorial cooperation. Economic integration is the voluntary linking in the economic domain of two or more independent states to the extent that authority over

key areas of domestic regulation and policy is shifted to the supra-national level. This gave birth to Regional Economic Communities (RECs) across the sub-regions (Asante 2005).

The third phase of African regional integration was heralded by the Lagos Plan of Action (LPA) and the Final Act of Lagos (FAL) in 1980 authored and actively promoted by the UN Economic Commission for Africa (UNECA). This new effort is to revitalize the African economy in response to the failure of the post-colonial economic strategies- the OAU member states and to diagnose that development strategies in Africa should be revised and redirected to a more inward looking mode of integration. The LPA was the first regional plan to deal with economic problems in a unified, pan-African fashion leading to a regional economic plan for self-reliant-industrializing economy in view of the challenges of globalization.

The Abuja Treaty of 1991, marks the second regional plan of African integration, and was introduced to remedy the shortcomings of the LPA; hence, integration of Africa became its major objective. Abuja Treaty underlined yet again the lack of clear vision and understanding, if not confusion, among African leadership in regard to integration strategy to solving the continent's perennial economic development woes. This is because, policies introduced in the 1980's to reduce the continent's dependence vulnerability vis-à-vis the North and to find an alternative to liberal economic practices was summarily discarded to make way again for the latter, thus spelling defeat for the LPA's inward-looking regionalism and self reliance. This became a victory for the liberal structural adjustment programs (SAP's) of the World Bank and the International Monetary Fund (OAU 1980).

In the second major development towards regionalism was the formation under the Abuja Treaty, of the African Economic Community (AEC) with supra-national authority to be applied as lock-in mechanism in respect of non-compliant member states. According to Article 8(3) of the Treaty, the Assembly of Heads of State and Government, the supreme organ of the Treaty, was empowered to ‘give directives, co-ordinate and harmonize the economic, scientific, technical, cultural and social policies of member states’. This rule was also adopted by the African REC’s but the instrument is not very much applied (OAU 1980).

Thirdly, Abuja Treaty enabled RECs to move beyond the domain of strict state-centrism, as it brought into the regional equation of civil society, nongovernmental Organizations, the private sector and donors of development aid. Fourthly, the Treaty affected important changes in the architecture and operational scope of the REC’s, for example, South African Development Coordination Conference (SADCC) was changed into the Southern African Development Community (SADC) in 1992; the ECOWAS Treaty was reviewed in 1993 (to enable sanctions against noncompliant states in respect of Abuja protocols); the PTA was transformed into the Common Market for Eastern and Southern Africa (COMESA); the Economic Community for Central African States (ECCAS) and the East African Community (EAC) were revived (1998 and 1999 respectively), yet there is not free movement across the regions; at best somewhat in some of the sub-regions as of 2011.

Basically, the idea and practice of regional integration is as a result of external challenges to a regional economy so as to liberate the economy for autonomy and development. This implies pooling of material and human resources across national boundaries of states to

create economies of scale for development in a regional area through fluidity of means of production in a regional-local liberal fashion with less cost predicated on an entered agreement. It is predicated on the application of Integration theory in Europe after the Second World War, which sprang from Neo-functionalism of Functional theory and indeed theory of regional economic integration of international relations whose emphasis is a shift from the state's concept of antagonist nationalism as was the experience with European political history that was dominated by intractable wars of nationalism which led to the most devastating consequences of irreconcilable conflict' that even threatened the existence of Europeans as members of the human community and manifested of late, from 1939 to 1945 (WW II), Henderson (1966).

Foundational thoughts on apolitical relations by states and people across national boundaries in a region in the modern era came from seminal knowledge of Leonard Woolf, David Mitrany and E.B Haas which led to theorization and practice of regional integration as a mechanism used to divert energies of war or disputes to achieve peaceful co-activities of apolitical nature in productive spheres of life predicated on agreements to cooperate in trade, free movement and pooling of resources for socio-economic, cultural and later in political developments; a prescription for peace in Europe pursued by the Functional and Neo-functional theoreticians (Encyclopedia Britannica 2009).

These are predicated on concrete programs and projects which promotes industrialization, for example, the establishments of the European Coal and Steel Community (ECSC), a common market for coal and steel in 1952 facilitated further the evolution of the European Economic Community (EEC) and EURATOM in 1957/8, European Community in 1967 and later the European Union (EU) in 1993, a climax of European integration in history.

With this unequaled regional growth recorded in the path of integration in Europe as of today, The European Union as constituted by 27 European States as of the year 2011 has become a model for other regions to emulate, has led to the establishment of North American Free Trade Agreement (NAFTA), Association of Southeast Asia Nations (ASEAN), Asian Free Trade Agreement (AFTA), the African Union (AU) and others to achieve economic, social and political union for regional development. There exist also, others with loose institutional mechanism that lacks formal and binding arrangements, but relies on informal consultative mechanism and consensus -building measures e.g. countries of Asian Pacific Economic Cooperation (APEC) and those of Africa, the Caribbean and the Pacific (ACP), Cini, (2003). It may be safe to say, that the philosophy of integration is in itself, Eurocentric.

Classic exposition on suggest that, although integration is clearly no panacea for all economic ills, or indispensable to success, there are many convincing reasons for supposing that significant economic benefits may be derived as a result of active participation in the process in the properly conceived arrangements for economic integration (Robson, 1984).

Taylor and Groom (1985) analyzes five sub-theories or short and middle range theories of regional integration, these are:

1. Adjustment theory
2. Supranationalism.

3. Neo-integration theory,
4. Constitutional theory,
5. Functional theory of international relations; and
6. Neo functionalism.

While these sub-sets of exposition on integration complement each other, Adjustment theory is concerned with responsibility of national governments to demands made upon them as a result of changes in their environment from communication with other states. Governments are continuously faced with the need to carry out new tasks, which may arise from political, socio-economic, technological or other features of modernization from new demand made upon them by their citizens in view of limited resources. The task may also include the settlement of international disputes or the maintenance of international order to allow for positive interaction on a wider scale.

The essential point is that *adjustment theory* is about the way in which existing government cope with demands made upon them by working through their regional institution making appropriate adjustments in their position. They do not see governments, or other levels of the state, as being fundamentally capable to bring about positive changes in view of growing demands following growth in desires, in individual local environment of their state.

Accordingly, they stress the range of intergovernmental arrangements in the inter-governmental organization. Governments are seen as dominant actors using their regional IGO to the extent that it serves their collective interests in the contexts of a changing environment in convergence of policy.

Adjustment theory may be conveniently subdivided into five styles of intergovernmental cooperation in supra-national organization. The classification helps to overcome the rather naïve prejudice surprisingly widely held notion that intergovernmental cooperation is a single kind of intergovernmental agreement which are found in the range of literatures in the 1970's, may be conveniently labeled supra-nationalism, coordination, in harmonization, cooperation and association. Particularly theories or theses contained in a particular piece of writing may be categorized according to these styles of intergovernmental cooperation. They represent preliminary framework for classification (Taylor and Groom 1985).

Supra-nationalism (Supranational theory) may be regarded as a form of intergovernmental arrangement by which governments allow an international institution to manage an area of common interest on the basis of decision taken either by majority voting or by committees of independent civil servants. This unusual power is often exercised by the international institution in a regional area of narrow scope, and it seems now generally agreed among scholars.

Mitrany (1980), suggest that integration exist both in terms of self interest and in term of individual, collective and institutional view of the common interest. Supra-nationalism is a modern technique used by government to assist them to survive and satisfy new demands in the modern world. It may be viewed as a kind of partial federalism: powers are transferred

to a center, but they are to be exercised in an area, the scope of which is narrowly circumscribed by participating governments.

As its scope increases, so the range of independent power in the hands of the institution tends to decrease. Works which consider this style of supranationalism included those on the High Authority of the European coal and steel community; uniting of Europe; and Beyond the Nation-State by Ernst B. Haas (1964); and those that argue for compulsory international jurisdiction in inter-state dispute in a region, for example as contained in the work of Raymond Vernon (1971).

Expositions on Neo-integration theory tend to describe and explain qualitative change in the context of decision making in which integration is fundamentally taking in about four levels in a particular region from within: These levels are:

1. The people or citizens (the popular level)
2. Organized group (the level of organized competitive private groups or civil society organizations (non-governmental institution in states).
3. The bureaucratic elites in key institutional settings (international civil servants).
4. The political statesmen (the level of the State executives). These qualitative levels of integration ultimately translates into trade creation, because trade is diverted from non partners to integrating partners, where welfare is enhance and development is being attained (quantitative change).

Neo-integration theory is an off-shot of David Mitrany's Functional theory of international relations led by E.B Haas (1968) which is concerned primarily with attitude changes at the popular level and not the state. The people provide the test and the dynamics of integration.

Intergovernmental institutions which concentrate upon this specific task are seen as generating supportive popular attitudes, thus modifying loyalties to the nation-state that are thought to sustain the more dangerously competitive conflicting aspects of regional integration. Once the process of transnational community building begins it generates new demand for 'international constitution' to satisfy felt needs, which in turn consolidates the emerging community.

Eventually, international cooperation is seen to be sustained by the independencies and cross-cutting ties of regional integration which impose restraint upon the destructive ambitions of governments for the existence of supportive attitudes of the people.

According to Taylor (1980), unlike Deutsch, Mitrany places much more stress on the causal links between the various levels of the integration process; the processes of cooperation which may be linked with transactions, are seen to modify attitudes. The attitude formation among the member states of European Community is one empirical reference employed by scholars on Attitude Change in international institutions of integration.

Constitutional Theory- This theory prescribes an ideal future arrangement and discovers an approximation to an established constitutional form in existing circumstances. The distinguishing features of the first form of constitutional theories are that they are essentially prescriptive and also are static in the sense that they involve a notion of the ideal order which sees constitutionalism as the capping of integration. Mainstream integration theories in contrast, invariably fasten unto developments in present circumstance and, on basis of this, forecast future development. Constitutional theory of this type specifies what

we should aspire to, or prescribes on the basis of things which we are not doing or should do now as contained in a code.

The analysis and criticism of such theories is useful for a number of reasons: they are an indication of assumptions about the nature of regional integration in the minds of their creators. They also give an insight into the difficulties and dangers of prescriptions, and the problems of attaching them to an accepted reality. They also help develop a sense of the depth of international organization which manages cooperation, the range of problems with which they cope, and the variety of potential which they contain.

Although, the constitutional theorists (Haas 1968; Claude 1971 & Deutsch 1977), do not usually consider themselves as speculative thinkers, their wide ranging ideas are useful to nascent form of international organization and integration, and in today's world of theorization in regional integration and practice. The works mentioned are therefore worthy of study. Therefore ideas of recent and previous times are useful to our understanding of the subject matter of regional economic integration in Africa.

Also important, the more recent example of prescriptive integration is federation which is also called radical integration or revolutionary. It is the kind of notion in the European Federalist movement, this kind of federalism in integration is episodic in the sense that it postulates a condition which is to be obtained, as it were to attain integration at a single stroke like a 'big bang' and which once obtained, it is thought, will be instantaneously. But, by and large, integration is systematic.

Nevertheless, constitutional theory prescribes a working integration document of a Union, association, or federation establishing its rule, time-line etc conditions towards establishing

a community. For example, the constitution of the European Union signed into law in 2004 or the AU Constitutive Act of 2000 defines at the theoretical assumptions.

Neo-functionalism as developed by Haas among others laid the foundation for the practice of integration among the European states marrying both apolitical and political integration.

He demonstrated this in his work; the *Uniting of Europe* (1968) which states that:

Europe will be made all at once, or according to a Single general plan. It will be built through concrete achievements, which will further create de facto solidarity... the pooling of coal and steel production will immediately provide for the setting up of common bases for economic development as a first step in the federation of Europe (Haas 1968)

This demonstrated the emergence of European's first common market for coal and steel.

Recently, the European Union as a model of regional inter-governmental organization (IGO) transformed into supranational organization in Europe with a standing constitution.

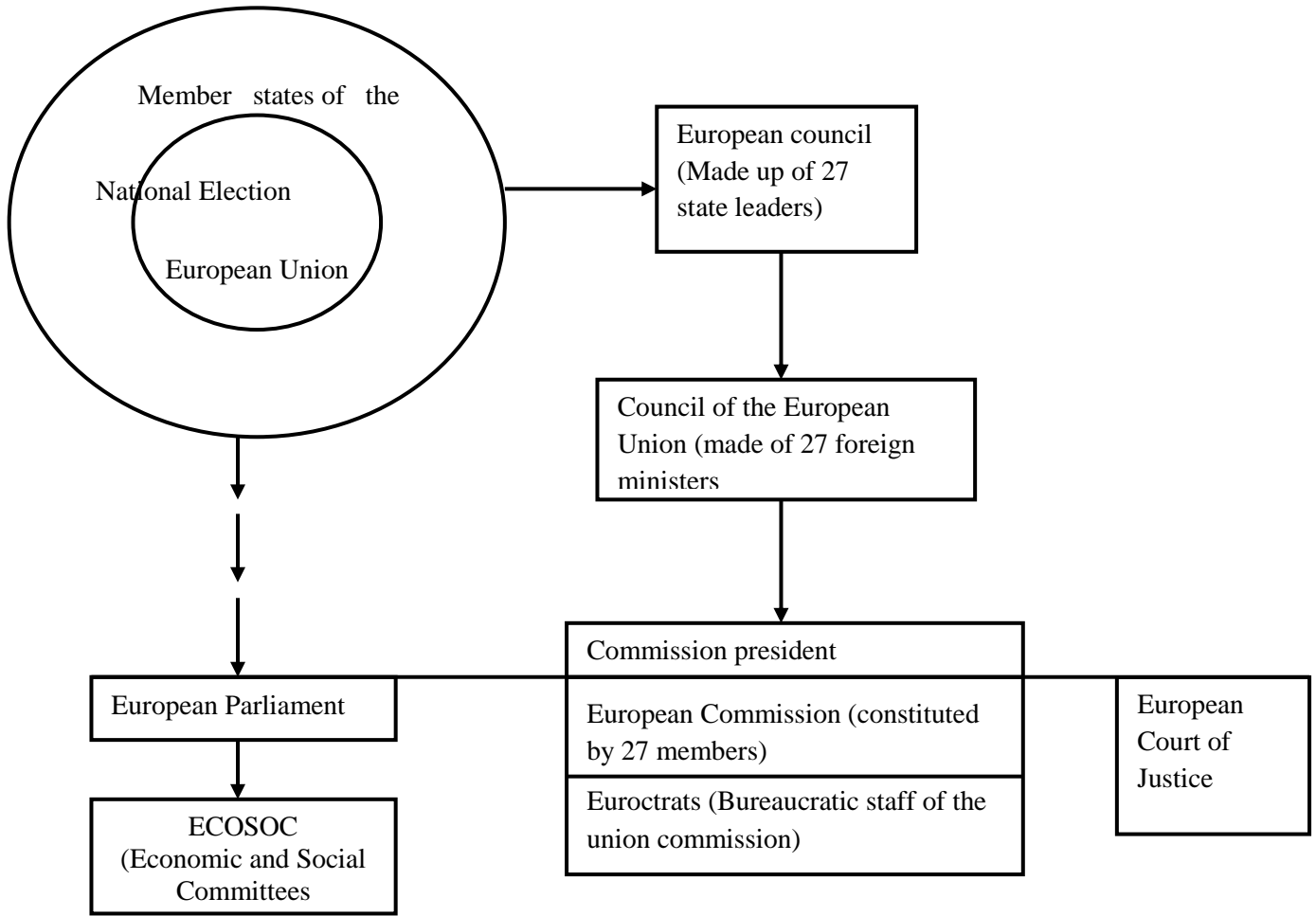
Before the second world war (WW II) there was no prominent regional IGO, but now there are many whose motive for interaction is basically international economic relations or at best, regional economic integration e.g. North American Free Trade Agreement (NAFTA), Arab cooperation council (ACC), Association of Southeast Asia Nations (ASEAN), the African Union (AU) etc; they constitute 75% of all of the world's IGOs (Rourke, 2008).

However, the European Union (EU) has remained the most dynamic and indeed the strongest in the world amongst regional bodies; it has virtually integrated the whole of Europe with the exception of few states. The larger Europe today enjoys free trade, has unified custom tariffs with respect to import and export of goods; the whole of Europe

constitute a single market; there is free movement of persons; finance, goods and services; it has unified monetary and fiscal fund through a Central Bank and has a regional constitution, a parliament, a court of justice and with an executive decision-making mechanism. The Evolution of the EU began in 1952 when Belgium, France, West Germany, Italy, Luxemburg and the Netherlands created a common market for coal, iron and steel, called the European Coal and Steel Community (ECSC). Successes recorded made members to sign the treaty of Rome on March 25, 1957 which established the European Economic Community (EEC) in 1958 to facilitate additional trade in many areas e.g. the European Atomic Energy Community (EURATOM).

In 1967, member states of the EEC signed an agreement to become the European community (EC) and all of the three preexisting organizations became subordinate to EC. Then in 1993, a broader supranational structure with a new name, the European Union (EU) was established. It encapsulates different prongs of cooperation in economic, social and political spheres. This new body is working towards building cohesive, active political institutions such as the Parliament, constitution and Court of Justice, (Cini, 2003; Goldstein and Pevehouse, 2010).

Figure 2.1.1: The EU and its main structures



Source: Adapted from Goldstein and Pevehouse, 2010

The Pace of integration with the African Union through its Commission seems to be literary eclectic and amorphous, relying on the sub-regional bodies that are mutually exclusive and in duplication and counting on funding from foreign organs whose interests are anti-intra African integration but for global liberalization. Their conception in the first place is rhetorical, so also, in their vision of African development. For example, Africa-EU partnership agreement in implementation of regionalism in Africa favors the continent to remain permanently a market and raw material base, and not to industrialize. The case of various pacts entered in to between EU and the RECs across Africa is a case in point.

The continuing conflicts in the African region make it more expedient for her to integrate. In actual fact, the AU integration plan needs to move to the mainstream- tight regionalism, targeting concrete programs and projects in practice, by the Heads of State and Government to make them and their people truly serious about regional integration in Africa like that of the European-ECSC in 1951/2 . This is so that myriad of challenges of development can be addressed squarely more so, when African youthful energies are engaged in counter-productive activities of power- conflicts and violence against positive engagements of integration e.g. the crises between Sudan and South Sudan, intra-South Sudan, Mali, Nigeria, western Sahara, Democratic Republic of Congo, Somalia, Northern Uganda, Libya, Egypt, Central African Republic, Central African Republic etc that keeps the continent grossly underdeveloped and bedeviled by socio-economic and political instability. This often than not, leads to war across national boundaries which makes African states perpetually divided on primordial and regime interest that are mostly

irrational, unleashing numerous miseries on its population despite her richly endowed resources that external forces are desperate for, Asante (1977).

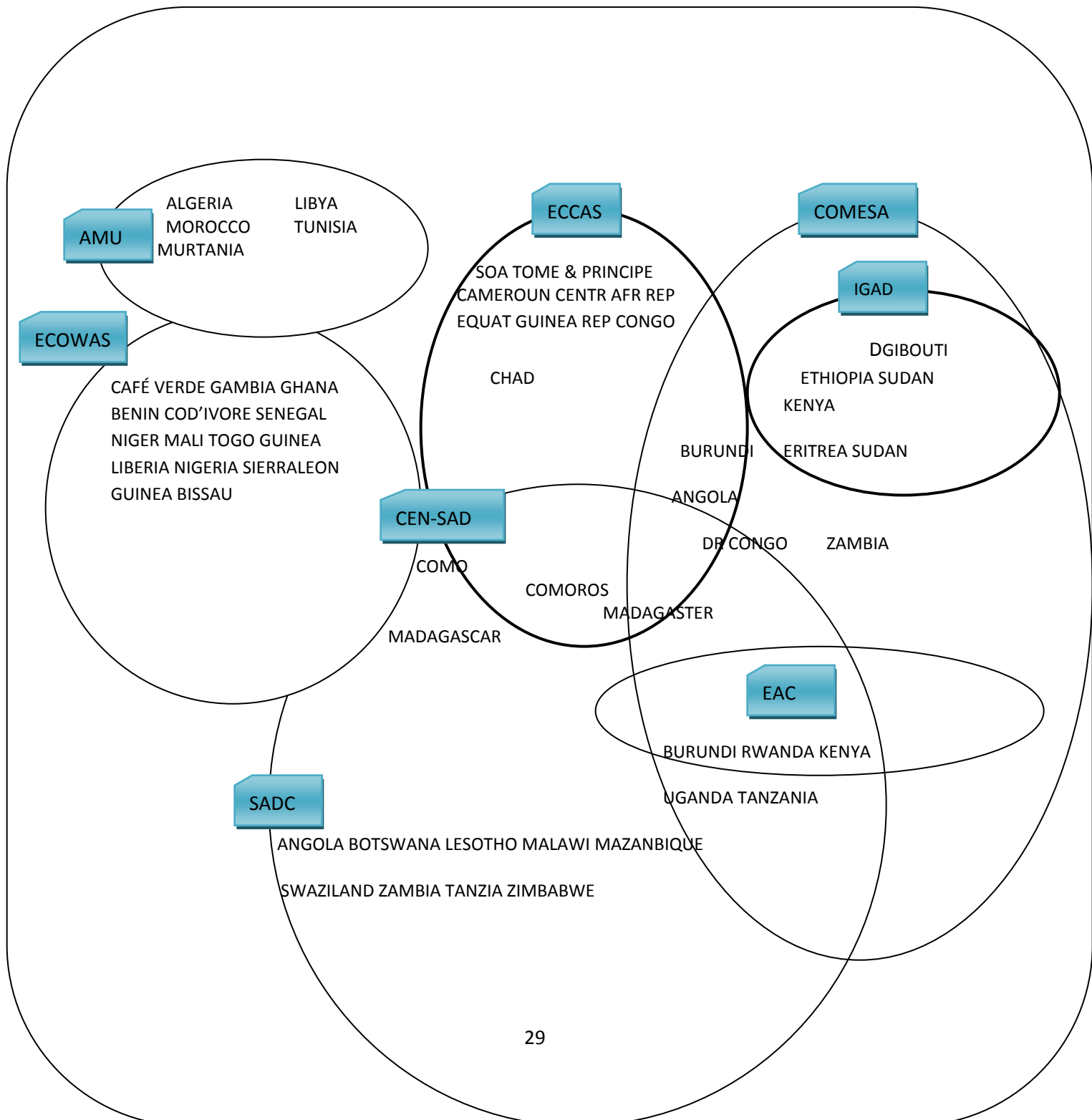
Therefore by extension, foreign industrial countries can be said to be participants and could largely be responsible for travails of crises that the continent is suffering today, more so, when most of the weapons used in conflicts in Africa are supplied by them, which intra-regional integration can address (BBC Magazine 2010).

Classic theories of regional integration have mainly been developed to explain integration in Europe which became model for other regions of the world that started in 1952 with the European coal and steel community (ECSC). According to Laursen (2008), Ernest Haas theorized this experience in *The Uniting of Europe* (1958). Contribution of his literature was on the concept of “spill-over” effect, a network of apolitical activities across national boundaries structured on the regional treaties of states to guarantee peace that would facilitate integration in the early years of the European Economic Community (EEC), which started in 1958. These ideas were referred to as neo-functionalist theories.

In an exposition by Kouassi (2005), Bela Balassa’s theory largely explains regional economic integration in steps or processes which is apt in the case of the African Union integration unlike that of the classical functional or neo-functional explanation predicated on functional apolitical projects and programs. The African Union (AU) is an intergovernmental organization (IGO) of African states established in 2002 to promote unity and solidarity amongst Africans, to stimulate their economic development and to promote interstate cooperation towards the African regional economic community through the existing regional economic communities (RECs), largely based on ambitious programs,

a full integration process of African Union to be attained in the year 2028 through eight (8) recognized sub-regional economic communities as building blocks of the AEC, though the date still remains tentative.

Figure 2.1.2: Showing the 8 sub- regional bodies in blue cells (RECs)



Source: SIA Civil Society Consultant Workshop, (June ,9-12;2003 , retrieved 18/08/2014).

The AU replaced the defunct Organization of African Unity (OAU) which has failed to achieve regional economic integration of African states. Nevertheless, the OAU which lasted for thirty nine (39) years from 1963-2002 achieved the following successes.

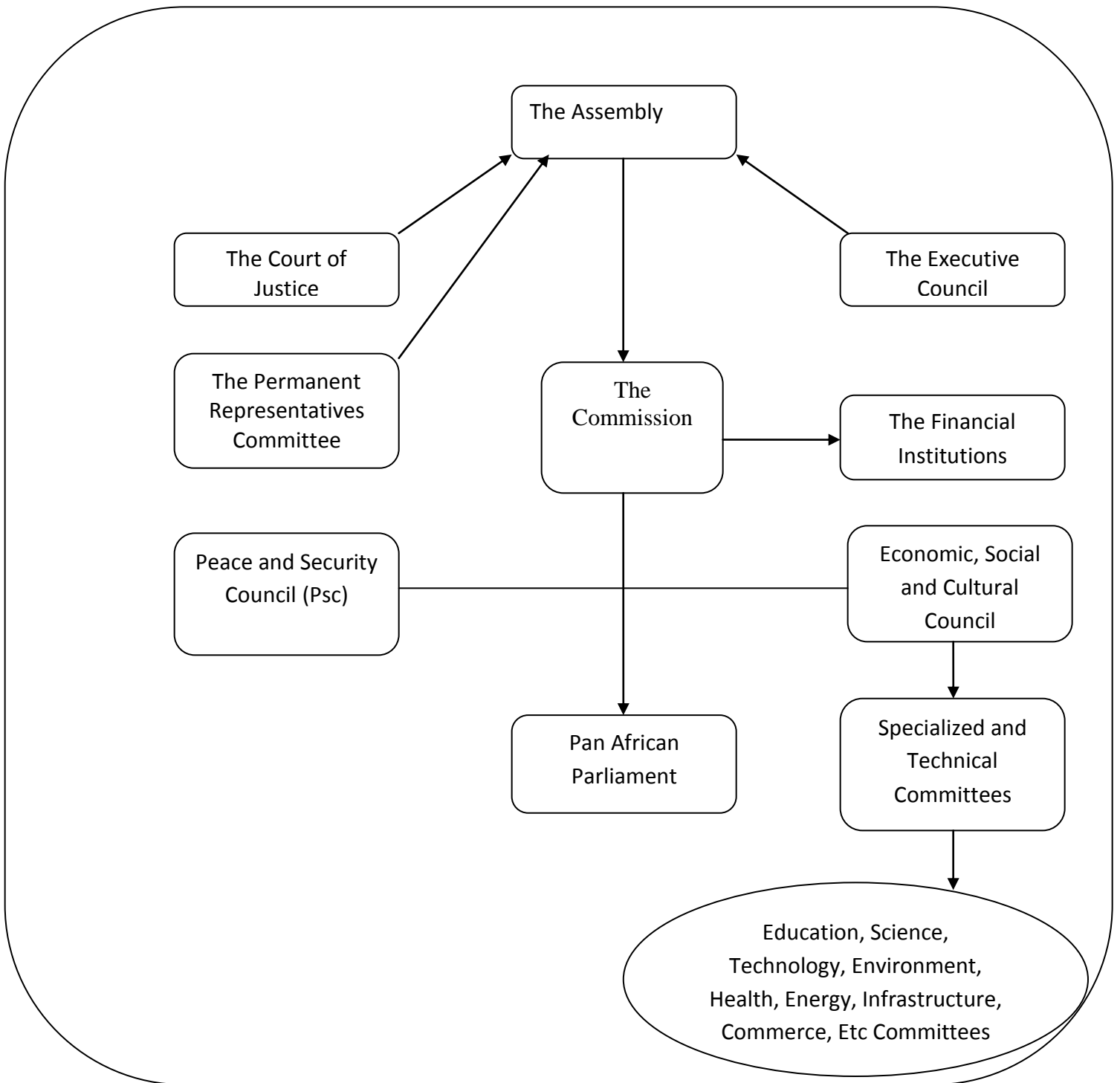
1. Total eradication of colonialism in Africa and apartheid regime in South Africa;
2. Mediation of several border disputes;
3. Created mechanism that resolved war through peace-making and peace keeping on the continent and investigated human right abuses in the region;
4. Maintained the “Africa group” at the United Nations (UN) that channeled and coordinated African position in world politics; and
5. It brought about the joint cooperation of African states in the formation of group of 77 south-south countries that is today acting as a caucus of developing nations within the UN conferences on trade and development.

However, the inability of the OAU to coordinate the processes of integration for economic, social and political development of the continent that is structured on industrialization despite her riches in endowment in the world, made African scholars to infer that the evolution of AU might be a good omen for the future (Encyclopedia Britannica, 2009). Unfortunately, the AUs activities seem to be rhetorical to intra-regionalism in Africa because there is little practice if compared to the European integration with effect from 1952.

Furthermore, the AU has the following main organs for regional integration of African states: a central bank, monetary fund, a court of justice and an All African parliament among other institutions. The AU's constitutive Act of 2000, which provides for the establishment of the African Union, was ratified by two-thirds of OAU member states in 2001 in Sirte, Libya. Also important, Pan African Parliament was inaugurated in 2004, African Union Authority (AUA) in 2009 and the organization agreed to create a peace keeping force, the African standby military force of about 15,000 soldiers, (SIA, 2009).

The AU (Commission) headquarters is in Addis Ababa, Ethiopia, and has the following structures (organs) as shown in figure 3 below:

FIGURE 2.1.3: THE AU COMMISSIONS AND ITS ORGANS IN THE YEAR 2010



Source: Adapted from foreign Administration (Jongur, 2005)

2.2 Debates on African Integration: theoretical and empirical issues

Scholars have define integration in different disciplines as ‘the bringing together of parts to make a whole’ (Myrdal 2007). However, in social and political milieu as well as economics and specifically, for Africa, it refers to the unity of differences to make one strong whole. African unity meant for the liberation of the continent from foreign rule and with that unity in view of economic endowment through economic integration to achieve development and prosperity.

Andic and Dosser (1971) suggests that qualitative analysis in economic integration has been conducted in terms of trade creation and trade diversion which are the positive effects of partnering states agreeing to trade amongst themselves as against trading with a non-partner (third state(s) despite their high value. This analysis is enshrined in the Customs Union Theory (CUT) that explains integration especially in developing countries. However, the theory of integration in its three stages of: free trade area, customs union and common/single market does better in mature economics, (Andic and Dosser 1971:13).

Balassa (1961) has tried to restrict its usage to the international context, arguing that "in the present-day world, the problems relating to integration on the national and international levels differ to a considerable degree." - For example, whereas the creation of a strong nation-state would appear to be a major instrument of national economic integration, it might also contribute "to disintegration on the international scene," due to absence of regional economic integration where fears shown by weaker member states; the fear of domination if not allayed, may contribute to disintegration.

Balassa's distinction between national and international forms of integration, however convenient, seems to be far from absolute since his categorization of "total economic integration" would surely require the existence of a super-state, or supra-national authority with commensurate powers, able to enforce conformity throughout the community over the stipulated range of monetary, fiscal and other policies: But then, total economic integration is obviously an ideal type of yardstick. However, an effective economic union, which on Balassa's criteria falls short of "total economic integration", would itself demand a degree of centrally coordinated political intervention not far removed from national integration itself (Balassa 1961).

In the same vein, Balassa (1961) tries to sustain his argument by making yet another distinction between the minimum conditions for the satisfactory operation of an economic union and the optimal conditions which will require the suppression of every conceivable form of discrimination between the economic units of the member states and necessitates adopting a supranational approach that is associated with political unification, possibly in the form of a federation of states.

There is also the problem of differences between economic cooperation and those activities that can more appropriately be labeled economic integration, although in practice a good deal of overlap exist between the two would seem to be necessary, desirable - and probably inevitable in the case of functioning regional communities.

For Balassa (1961), cooperation describes arrangements whereby economic policies are harmonized and economic discrimination between states is lessened without programmed

systematic agreements, e.g. Preferential Trade Agreement (PTA); whereas "the process of economic integration comprises those measures which entails the suppression of some forms of discrimination", or simply "the abolition of discrimination within a geopolitical area." This often results in other higher levels of trade agreements and economic compacts.

In the developing countries, there is much more to economic integration than the elimination of discrimination within the region - even if the term is construed in its widest possible economic sense. Moreover, the distinction between economic cooperation and economic integration, which is meant to give "definite meaning" to the latter term, is far from clear-cut. - It is a distinction neither of kind nor of degree, despite Balassa's claim that the differences are both "qualitative and quantitative" (Gowon 1984).

Gowon (1984) concludes that unlike cooperation, economic integration between states implies not only the existence of agreements that are formal and, presumably, binding, but also the creation of a specialist administration able to guarantee the continuity of the community and to ensure the prompt execution of its joint decisions. Such decisions will involve the removal of existing barriers to trade and the formulation of policies intended to secure the development of the region as a whole and its constituent states.

Balassa also distinguishes between integration as a conscious strategy or "process", on the one hand, and as "a state of affairs" on the other. The latter simply denotes "the absence of various forms of discrimination between national economies", - whereas integration when considered as a process is more concerned with their effective elimination.

Even then, however, Balassa has to concede that the mere absence of discrimination would not, of itself; enable us to speak of integration between economies as remote and apparently unrelated as those of Swaziland and Lesotho that are land-locked. - Whether thought of as a

process or state of affairs, integration surely involves a territorial dimension. Economic integration is a mechanism employed by nation states to take advantage of their unity in both economic and human resources. This is to agree with Bela Balassa's exposition which posits that:

Integration is not a panacea for curing all economic ills, however, its beneficial effects can follow only if sociological, psychological, and political obstacles to economic development have been surmounted by the agreeing states (Balassa 1961), hence, pacification of weaker states and sacrifice by the stronger states.

Furthermore, the subject economic integration can be viewed from two lenses, the first refers to a process of dynamism, whereby economic frontiers between nation-states are gradually abolished, that is, discrimination are removed in which hitherto separate national economies are gradually merging into a larger whole. The second focus is static; Molle (1994) describes it as a situation in which national arrangement of a larger economy is no longer separated by economic frontiers but function together as an entity. The dynamic interpretation of integration is the one that is popular in practice in the contemporary in the world, existing in three characters: (a) that economic integration refers to basically-division of labour; (b) that it involves mobility of goods, services or factors, or all of them and (c) that it is related to discrimination or non discrimination in the treatment of goods, services or factors as it relate to origin or market. It therefore means that economic integration is not an objective in itself, but it serves the objective and goals that are economic and political in nature, (Asante, 1997; El-Agraa, 1961).

Regional integration and regional economic integration are interchangeably used to virtually mean the same thing because economic process exist in political environment, but Haas (1970) contends that the study of regional integration is not the same as the study of

regional cooperation. The latter is a vague concept applicable to any interstate relation other than competition and war, though, regional cooperation may describe agreement along the way to regional integration. For the former, Haas argued that it is concerned with:

Explanations of how and why states cease to be wholly sovereign, how and why they mingle, merge, and mix with their neighbors so as to lose the factual attributes of sovereignty while acquiring new techniques for resolving conflict between them, Haas (1970:610).

Asante (1997) posited that issues which led to the formation of modern economic trading block, such as the integration schemes of the European Union initiated in the Pacific region are impetus towards new trends of regionalism in the World economy. Additional tendencies that also led to the evolution of Africa's integration agenda were the challenge of globalization from the World's industrialized economies and emerging regional blocks on production and the rapid trade expansion which continues to impact on trade with Africa being isolated that heavily relies on the sale of primary products. There was also in the light of the aforesaid, the strategy for Africa's development was made to address myriads of the continent's developmental problems were some of the context in the continent for the adoption of integration agenda.

Asante (1997:11) goes further to say:

The conclusion of the Uruguay Round Agreements, the establishment of the World Trade Organization and the further advances in information science pose new challenges to Africa's trading position in the world and the continent's relations with the other trading blocs especially as African countries do not yet have the capacity to take advantage of new opportunities under the agreements.

More so, the Western world that “midwife” modern states of Africa seems to be less interested in the well-being of the Continent, but of her interest which is consistent with a country’s relation with outside world, made African leaders to take the right steps to make in deal with the World economic system as an effective player. It was also further strengthened by the OAU’s Charter for Popular Participation in Development in 1995; which is in agreement with what Nigeria’s Prime Minister asserted in 1962, when he suggested that Nigeria as an African country considers the common market in Europe as an European affair which does not appeal to Africans.

...We are distrustful of any insinuation which places Africans permanently as primary producers in the global economic relations... to condemn inter-regional trade agreement between Africa and Europe for intra-African trade cooperation between African states in order to genuinely foster prosperity and development in the continent, weary of colonialism and neocolonialism, (Balewa cited in Asante 1997).

This is apparently why Lomé Conventions which established the Euro-Africa pact has not manifested in to economic recovery for Africa.

2.3 Further Review on Regional Integration

Asante (1997 and 2007), and Adejumobi and Olukoshi (2009) in their books on the subject of development in Africa posited that, whatever strategy that is to be used to address challenges of development in the continent must be premised on regional integration. This therefore means that integration in Africa is not an option, but a necessity. In view of:

The rising problem of economic decline and growing poverty, and the need to achieve growth and development, and also to make the continent an effective player in global economy especially in trade made regional integration a solution to Africa's problem. More so, in view of the 21st century weak

standing of the African mono-cultural economy places her on globalization disadvantage in World affairs (Asante 1997).

Similarly, Adedeji, Adejumobi and Olukosi in their works further opinionated on the efficacy of regional integration in Africa's development, as the most reliable framework that can pool Africa's resources to greater heights as earlier posited by Kwame Nkruma in 1964:

We can go on to multiply the advantages of a continental union. Frontier problems will disappear in a continental union. Irritating customs, and other formalities, cease to be barriers separating brother from brother. We can think of the great economic advantage of a common currency and a common market (cited in Adejumobi and Olukosi, 2009:14)

Goldstein and Pevehouse (2010) contends that regional integration is one of the forces of globalization in the sense that it is based on states decision to integrate or manage their economies across individual state's boundary so as to foster development amongst them through the institution of 'supranationalism' that could be found in intergovernmental organization which subsume a number of nation – states' function for a larger whole advantage.

From the onset, it relates to the coming together of countries, uniting through cooperation in a given region, it is not necessarily all of them at a time; but who come together with the aim to achieve economic development with social, cultural and political goals, (Attahir, 1994). The goal also, include the attainment of large scale industrial production, specialization and market according to such endowed natural resources as found in a nation-state in a particular geographic-region which can be measured pragmatically in the

per capital income, gross domestic product(GDP), gross national product(GNP) and balance of payment of a member state with other indices. The rationale behind the theory and practice is based on the assumption that industrialization, being growth in the manufacturing sector through automation of productivity that is hitherto hindered by the smallness of market is enlarged through regional integration which serves as an avenue to widening the size of the market for the greatest welfare of a regional people.

Through this, there is further promotion of industrialization through advantage in economies of scale, and the attendant increase in mass production, and consumption in different sphere of society through trade, employment, higher regional output stability, lower real production cost due to advantages of economies of scale on means of production and wealth generation made possible on the structured process of political decisions as contained in treaties amongst member states in a region.

Also important, regional economic integration is motivated by the ultimate objective of economic activity to increase welfare of the integrating community. Thus, its contribution to welfare needs of the people.

Economic welfare will be affected by:

- (i) a change in the quantity of commodities produced,
- (ii) a change in the degree of discrimination between domestic and foreign goods,
- (iii) a redistribution of income between the nationals of different countries, and
- (iv) income redistribution within individual countries.

Accordingly, distinction is made between a real-income component and a distributional component of economic welfare. The former denotes a change in potential welfare due to

efficiency and increase in productivity; the latter refers to the welfare effects of income redistribution with fair prices of goods and services (Balassa 1961).

Furthermore, economic integration is motivated by Trade Creation (TC) and Trade Diversion (TD). This is because TC is the replacement of expensive domestic products by cheaper imports from a partner, and TD is the replacement of cheaper initial imports from outside the region or community by more expensive imports from a partner in the community, thereby, allowing for complement economic relations and advances in productivity (Viner 1950 and El-Agraa 1997).

The process of these decisions goes in tandem with Balassa's (1961) "Process of Regional Economic Integration":

1. Free Trade Area – removal of trade restrictions amongst member states to allow for free movement of goods and services.
2. Customs union – here, member states undertake joint external trade relations with non-member states to exert unified customs tariffs;
3. Common/single market–this stage allows for wholesome free movement of goods and services and indeed the "four freedoms"– capital, labour, finance and entrepreneurships. It also allows for common standard and value for marketable products;
4. Monetary union which allows for merger of fiscal and monetary administration.

5. Economic and monetary union – this involves the establishment of a functional regional currency through a central bank and the existence of monetary and fiscal management infrastructure under a monetary fund with a central bank.

6. Complete political union – under this stage, a significant number of member states in a region are unified in a ‘federation’ with a constitution and commission, parliament, court of justice which allows for a network of relationships in socio – economic and political spheres and also the existence of supranational authority e.g. in the current European Union though, has 27 members states, there are some states on the corridor, contemplating joining the Union e.g. Norway, Ukraine, Georgia (Attahir 1994, and Goldstein and Pevehouse 2010).

According to El-Agraa (1999), regional integration is one aspect of international economic relations which has been growing in academic importance for well over four decades. In 1970s the term itself has a rather short history posited Machlu (1977), and was unable to find a single instance of its use prior to 1942. Since then the term has been used variously to refer to practically any area of international economic relations. By 1950, however, the term had been given a specific definition by economists and political scientist specializing in international trade or commerce: it denotes a state of affairs or a process which involves the amalgamation of separate state economies into larger free trading region. It is in this more limited sense that the term is used in the contemporary.

However, one can hasten to add that some scholars of economists and political science not familiar with this branch of international economic relations have for quite a while

been using the term to mean simply increasing economic interdependence between nation-states. But more specifically, regional integration is concerned with the discriminatory removal of all trade impediments between at least by two participating states and with the establishment of certain elements of cooperation and coordination between them. The latter depends entirely on the actual form that regional integration takes. Different forms of regional integration can be envisaged and many have actually been implemented in these forms:

1. *Free trade areas*, where the member nations remove all trade impediments amongst themselves but retain their freedom with regard to the determination of their own policies *vis-à-vis* the outside world (the non-participants – for example, the European Free Trade Association (EFTA) and the defunct Latin American Free Trade Area (LAFTA), now North American Free Trade Area (NAFTA)).
2. *Customs unions*, which are very similar to free trade areas except that member nations must conduct and pursue common external commercial relations for instance, they must adopt common external tariffs (CETs) on imports from the non-participants as is the case in, *inter alia*, the European Union (EU, which is in this particular sense a customs union, but, as we shall presently see, it is more than that) with the Central American Common Market (CACM) and the Caribbean Community and Common Market (CARICOM).
3. *Common/single markets*, which are customs unions that allow also for free factor mobility across national member frontiers, i.e. capital, labour, technology and

enterprises should move unhindered between the participating countries – for example, the EU (but again it is more complex).

4. *Complete economic unions*, which are common markets that ask for complete unification of monetary and fiscal policies, i.e. the participants must introduce a central authority to exercise control over these matters so that member nations effectively become regions of the same nation – the EU is in this stage.

5. *Complete political unions*, where the participating countries become literally one nation, i.e. the central authority needed in complete economic unions should be parallel to a common parliament and other necessary institutions needed to guarantee the sovereignty of one state – an example of this is the unification of the two German territories (West and East) in 1990.

However, one should hasten to add that political integration need not be, and in the majority of cases will never be, part of this list because political integration is controversial stage of integration in which most states are not ready to demonstrate patience due to sovereignty challenge in power transfer. Political integration also refers to shifting of certain states' sovereignty for security management without necessarily forming a new federation or nation-state. Nevertheless, it can of course be introduced as a form of unity and for no economic reason whatsoever, as was the case with the two Germanies (West and east), and as is the case with the pursuit of the unification of the Korean Peninsula, although regional integration should naturally be interested in its economic consequences of covenant.

More generally, one should indeed stress that each of these forms of regional integration can be introduced in its own right; hence they should not be confused with *stages* in a

process which eventually leads to either complete economic or political union. It should also be noted that there may be *sectoral* integration, as distinct from general across-the-board integration, in particular areas of the economy as was the case with the European Coal and Steel Community (ECSC), created in 1951, but sectoral integration is a form of cooperation not only because it is inconsistent with the accepted definition of regional integration but also because it may contravene the rules of the General Agreement on Tariffs and Trade (GATT), now called the World Trade Organization (WTO), El-Agraa (1999).

“Sectoral integration” may also occur within any of the mentioned schemes, as is the case with the EU’s Common Agricultural Policy (CAP), but then it is nothing more than a ‘policy’. It can further be pointed out that it has been claimed that regional integration can be *negative* or *positive*. The term negative integration was coined by Tinbergen (1954) to refer to the removal of impediments on trade between the participating nations or to the elimination of any form of restrictions on the process of trade liberalisation.

The term positive integration relates to the modification of existing instruments and institutions and, more importantly, to the creation of new ones so as to enable the market of integrated area to function properly and effectively and also to promote other broader policy aims of the scheme. Hence, at the risk of oversimplification, according to this classification, it can be stated that sectoral integration and free trade areas are forms of regional integration which require only negative integration, while the remaining types require positive integration, since, as a minimum; they need the positive act of adopting common relations. However, in reality this distinction is over simplistic not only because practically all existing types of regional integration have found it essential to introduce some elements of positive integration, but also because theoretical considerations clearly

indicate that no scheme of regional integration is viable without certain elements of positive integration, for example, even the ECSC deemed it necessary to establish new institutions to tackle its specified challenges (SIA 2014).

2.4 The Motives for Regional Integration

The driving force behind the formation of the EU, the earliest and most influential of all existing regional integration schemes, was the political unity of Europe with the aim of realizing long lasting peace in the Continent due to power struggles of European states during WW I & II and therefore to channeled their energies to economic cooperation against focus on conflicts (El-Agraa, 1998).

Other motives are to enhance the welfare of people of the cooperating states as well as achieving socio-cultural, economic and indeed, political unity despite their heterogeneity.

Most analysts also argue that the recent attempts by the EU for more intensive economic integration can be cast in the same vein which has further gone to the level of political integration, especially since they are accompanied by common foreign and defense policies.

At the same time, during the late 1950s and early 1960s regional integration amongst developing nations was perceived as the only viable way for them to make some real economic progress; indeed that was the rationale behind the United Nation's encouragement and support to all other regions of the world to establish regional integration schemes in order to guarantee their independence, self determination, and indeed for their development and prosperity. It is therefore to mean that the rationale for African integration is to liberate its economy from external challenges and for development (Asante 1997).

Frustrations with the defunct General Agreement on Tariffs and Trade (GATT)'s slowness in reaching favorable agreement to the developing economies and now World Trade Organization (WTO), was due to its many participants' disquiet and their variable interests, have led African leaders to the conclusion that regional integration would result in a quicker pace for negotiations since, by definition, it will reduce the number of parties involved at international forum in order to speak with one voice as done by EU, NAFTA, ASEAN etc. Second, according to Geda and Kibret (2002) other issues is the emergence of regional blocks in Europe, Asia and the Americas seems to force African leaders to think and act fast in order to avoid further marginalization of the continent in global trade. Third, smallness of national markets of member states and for there to be an enlarge market for specialization and the advantage of economies of scale and the general challenge posed by the trade liberalization sponsored by the multilateral financial agencies on international trade.

There are also practical considerations, for example countries may feel that regional integration would provide security of markets among the participants. However, no matter what the motives for regional integration may be, it is still necessary to analyze the economic implications of such geographically discriminatory associations' where the latter in terms of political unification is one of the general schemes of integration.

At the customs union and free trade area levels, the possible sources of economic gain from regional integration can be attributed to: (a) enhanced efficiency in production made possible by increased specialization in accordance with the law of comparative advantage, due to the liberalized market of the participating nations; (b) increased production levels

due to better exploitation of economies of scale made possible by the increased size of the market; (c) an improved international bargaining position, made possible by the larger size/stronger international actor, leading to better terms of trade (cheaper imports from the outside world and higher output for exports to them); (d) enforced changes in efficiency brought about by intensified competition between firms; and (e) changes affecting both the amount and quality of the factors of production due to technological advances, themselves encouraged by (d).

If the level of regional integration is to go beyond the free trade area and customs union levels, then further sources of economic gain also become possible: (f) factor mobility across the borders of the member nations will materialize only if there is a net economic incentive for them, thus leading to higher national incomes; (g) the coordination of monetary and fiscal policies may result in cost reductions since the pooling of efforts may enable the achievement of economies of scale; and (h) the unification of efforts to achieve better employment levels, lower inflation rates, balanced trade, higher rates of economic growth and better income distribution may make it cheaper to attain these targets, (El-Agraa 1999).

It became apparent that some of these possible gains relate to static resource reallocation effects while the rest relate to long-term or dynamic effects. It can also be emphasized that these are possible economic gains, i.e. there is no guarantee that they can ever be achieved; everything would depend on the nature of the particular scheme and the type of competitive behavior prevailing prior to regional integration. Indeed, it is quite feasible that in the absence of 'appropriate' competitive behavior, regional integration may worsen the situation.

Thus the possible attainment of these benefits must be considered with great caution: Membership of an economic grouping cannot of itself guarantee to a member state or the group a satisfactory economic performance, or even a better performance than in the past. The static gains from integration, although significant, can be – and often are – swamped by the influence of factors of domestic or international origin that have nothing to do with integration. The more fundamental factors influencing a country's economic performance (the dynamic factors) are unlikely to be affected by integration except in the long run. It is clearly not a necessary condition for economic success that a country should be a member of an economic community without active popular participation as the experience of several small countries confirms, although such countries might have done better as members of a suitable group in terms of positive disposition to cooperate. Equally, a large integrated market is in itself no guarantee of performance, as the experience with most African member states of the AU which suggest attendance of summits and other meetings as tea party gathering.

2.5 Dynamics of the Africa Integration

Regional integration in Africa has been driven by the quest for unity and attainment of development. It started as a reaction to socio-economic and political challenges facing the continent soon after its liberation from colonial rule. African leaders at that time sought to reduce poverty and economic dependence of their economies. Regional integration was the main strategy adopted by the leaders for the development of the continent. The orientation of the African integration processes have been largely influenced by, or follows the current in global transformations, which saw a shift from the conventional state-led forms of

intergovernmental regional cooperation to the recent more heterogeneous patterns of new regionalism (Hettne and Söderbaum, 2006). Two major eras of orientation has so far been witnessed: the era of self-reliance, close and state-centric regionalism and the current era of export-led, open and multi-actor regionalism. In the latter, member states of the AU do enter into cooperation with third states, the case of AU-EU pact, Libya-EU pact are examples.

Initially, the idea of collective self reliance was earlier on adopted by African leaders as an approach and strategy for the continent's development. That was the era of state-centrism and state sovereignty. A number of factors informed the desire to pursue regionalism in Africa. First after independence, the African leaders realized the negative effects having small and economically weak states, which individually were incapable of attaining strong economic growth and development. Thus, regional integration was identified as a means of overcoming the challenges faced by these states by building larger and stronger economies. Secondly, leaders in the developing world within the context of the United Nations Conference on Trade and Development (UNCTAD) in the 1970s could not agree with the developed countries in restructuring the world trade and creating a new world economic order. In Africa, at the Tenth Anniversary of the Organization of African Unity (OAU) in Addis Ababa in 1973 the main focus of the declaration was on the 'inability of the international community to create the favourable conditions for Africa's development' hence, it recommended introverted, endogenous and self-supporting growth for the continent' (Kouassi, 2010). This realization of self reliance for their development led to the adoption of closed regionalism based on the classic economic linear model of regional economic integration developed by Balassa (1962), which progresses from a Preferential

Trade Agreement to Free Trade Area, Customs Union, Common Market, and finally, Economic Union.

These levels of integration have been pursued by different regional economic communities (RECs) in Africa since their independence. In the West African sub region, for instance, ECOWAS sought to establish an economic Community based primarily on self reliance. The first Treaty (1975) of ECOWAS contained eight principal aims (elimination of customs duties; abolition of quantitative and administrative restrictions on trade; the establishment of a common customs tariff and a common commercial policy; the abolition of obstacle to free movement of persons, service and capital; the harmonization of agriculture, industrial and economic services policy; the setting up of joint ventures; the harmonization of monetary policies; and the establishment of a fund for cooperation, compensation and development) which were all related to the member states. Southern African Customs Union seeks to establish a customs Union. Common Market for Eastern and Southern Africa (COMESA) aims for a common market. The name of the RECs embodies their identity and purpose.

The general strategy of attaining the RECs' objectives, however, has been dynamic. For instance, the general orientation of integration in Africa during the 1970s and 1980s was emphatically based on self reliance (Adedeji, 1976). That was the era of endogenous development policy, which was aptly captured in the Lagos Plan of Action and the Final Act of Lagos. Integration processes in Africa at that time was basically based on this orientation. That by establishing regionally an enlarged market member states' industries would benefit from economy of scale, protection from external competition by advanced industries and enjoyment of competition among equals within the union. Economic

independence of the regional groups was assured under this arrangement as reliance on external, developed markets was discouraged. There would also be intra-regional flow of capital and labour to aid the economic growth and development of the member states.

However, two decades after the adoption of the integration plan by the AU's Heads of State and Government which was not followed faithfully, there is no envisage increase in economic growth, development and prosperity. Instead the continent became more impoverished, highly indebted and conflict ridden, since the latter evolved from a continent that has increments in population without corresponding productivity in food and industrialization. A number of reasons were adduced for the failure of the endogenous approach to African integration. Some analysts, such as Asante (1997), believe that the strategy adopted was not suitable for Africa. Integration schemes based on import-substitution was not tenable, given that in most of the regions production processes lacked complementarities, as the member states produced similar goods and services, and hence compete with each other for market outside the union. Low level of intra-African trade was thus recorded: less than five percent. The states traded more with developed countries, thereby perpetuating the dependence of the continent on primary commodity exports and economically were more integrated with these economies they sought to protect themselves from. Asante (1997) argued that the market integration strategy adopted by Africa was not appropriate because the prerequisites for successful economic integration were absent. He summed up these pre-requisites as economic complementarities; sustained national economic growth and competitiveness to alleviate domestic opposition to external competition and; genuine political commitment in the application of regional trade liberalisation scheme and making the economic integration process sound (Asante, 1997).

The conclusion here therefore is that the economic drivers of integration are not yet in place in Africa.

In McCarthy's (2010) opinion the fault is with the paradigm adopted for the regional integration of Africa. There is too much emphasis on formal arrangements for step by step integration; following the models of Balassa (1961) (free trade area, customs union, common market, economic union). To him, that strategy of market integration, though important, is not critical in African integration as other non-formal, tariff factors constitute greater hindrance. McCarthy decried how less attention was given to the development of the supply-side of the economies, with the service sector, infrastructure, communication, transportation and national economic policies largely left neglected and uncoordinated. He then submitted that stress should be on the development of capacity to produce goods and services at competitive price for effective integration to take place (McCarthy, 2010) Political factors have also been blamed for hindering the progress of the integration process. The individual states, many of which fought hard to secure independence did not want to lose their authority to supranational organizations. Moreover, in Africa the state is the most important instrument for wealth acquisition and control. Thus, power holders are reluctant to yield to any arrangement that would chip away their grab on power. Consequently, lack of complementarity and political will are often cited as the main reasons for failure of progress in African integration. For most part of the late 1980s and early 1990s integration in Africa was moribund.

However, with the collapse of the defunct Soviet Union, which marked the ascendancy of capitalism and the beginning of another reign of globalisation African leaders became yet again challenged by new developments. Regional integration was renewed and

reinvigorated in Europe and other parts of the world. Africa faced marginalization from the new global economic and political order. Hence, there was renewal of efforts in the integration of Africa. In 1991 the Abuja Treaty establishing the African Economic Community was signed. The Treaty came into force in 1994. It made sub regional economic communities (collectively referred to as RECs) in Africa the pillars of the AEC. During the same period many of the existing regional economic communities in Africa renewed their resolve for integration. ECOWAS, for instance, revised its Treaty in 1993 to take care of new developments and changes within and outside the Community. West African Monetary Union (WAMU/UMOA) became transformed into the West African Economic and Monetary Union (UEMOA) 1994. New RECs were also established such as Common Market for Eastern and Southern Africa (COMESA) in 1994, The Intergovernmental Authority on Development (IGAD) in 1996 The Community of Sahel-Saharan States (CEN SAD) in 1998 (Ncube, 2009).

These developments came with a change in the orientation and approach to integration in Africa. There was an addition in the aim and scope of the integration process, which was that of strengthening the position of the continent within the global economy and international economy and extending the hands of cooperation and collaboration between the RECs. The focus is no longer on inward-looking integration given the limitations of that approach; it is more of outward-looking aimed at exploring and exploiting the advantages of globalisation and export-led growth and development, while also safeguarding the union and member states from the adverse effects of the global economy

2.6 AU's Ambitious Programs in Economic, Social and Political Development Strategy of the African Integration Process

The fact is that the idea of an economic union for Africa represents first, a Pan-African ethos of 1950s and 1960s, and also a condition for Africa's independence and of course, for her unity without a clear defined ideology and infrastructures for her development but Pan Africanism. At present, there exist institutions to address practical challenges of integration in socio-economic and political issues that necessitated the reasons why the concept of integration is allowed to work- in which there is a phased progression towards the establishment of African Economic Community of states to allow time for fostering propitious conditions for integration. This phasing is not the same thing as mere setting targets and deadlines. The phases are general timeline of steps of integration to happen or for them to be ascertained not to have happened, as conceived by the Council of the Wise of the AU (Field Notes 2011).

The launch and conclusion of each phase is to be informed by gains made, problems encountered and the prevailing situation and mood on the continent at a time, which would determine the way forward.

Phased progression will create the space for measuring the extent to which the activities of Regional Economic Communities (RECs) would contribute to or inhibit progress towards supranational governance. At present, it is not clear enough whether a REC that attained the status of a regional economic and political union (or federation) would ossify itself parallel to the efforts towards continental integration. Some Africans fear that giving free rein to the RECs would undermine the momentum for continental economic and political integration. Others feel that if the efforts of one or two RECs culminated in a regional union, this would

constitute an asset for continental integration. There is no clarity on either of these positions, hence the need to work in phases. Some proposals for the phases of progression towards African Economic Community are based on the assumption that economic integration will create further progress, are made below. Therefore, phase prescription of institutional architecture is discussed below: (Field notes 2011).

Phase 1 – reviewing and strengthening the institutional arrangement of the AU’s integration and fostering a strong business culture

This phase could extend over up to ten years, starting from 2012, with the overall objective of fully establishing the institutional architecture of the AU and providing the necessary means needed for effective performance. Achieving this objective requires a number of major and subsidiary tasks to be undertaken:

a. Major Tasks

1. Evaluating the progress already accomplished by the AU since its evolution in Durban in July 2002. Among other things, it identifies the gains made so far. The constraints encountered and the gaps that remain to be filled. Such evaluation covers aspects relating to the organization of organs on the basis of least cost and optimal benefit to the African peoples. This therefore requires the downsizing of the institutional set-up.
2. Harmonizing the intents and provisions of the Abuja Treaty with those of the Constitutive Act of the AU, to provide a clear route towards a cultural, political and economic union (federation or confederation) of African states or nations.
3. Identifying and redistributing tasks that have a wider integrative effect between the AU, the RECs and the member states on the basis of comparative delivery advantage and the enabling conditions of each level.

4. Creating an enabling environment for and fostering private sector business as an engine of technical innovation and economic growth for industrialization.

b. *Complementary Tasks*

The pursuit of the major tasks set out above is to be accompanied by the undertaking of some complementary tasks, as follows:

1. Strengthening the organs of the Union with regard to manpower, financial and technical capacities;
2. Putting into effect the continental peace and security architecture in all its aspects covers African Standby Force, Continental Early Warning System, and Panel of the Wise, Special Fund, and methods of work of the PSC. PSC/civil society relations, post-conflict reconstruction and peace-building, as well as implementing the instruments, treaties and protocols relating to issues of terrorism, landmines, child soldiers and the environment;
3. Improving political and economic governance;

The New Partnership for Africa's Development (NEPAD) is policy document that seeks to promote African political and economic governance. It is also grafted into further into the AU institutional arrangement. This is necessary because NEPAD document states clearly that: 'the smallness of most African economies in terms of productive skills, per capita incomes, markets, limited investment which depends on economies of scale for viability'. This gives credence to economic integration of the continent, being the objective of the AU Constitutive Act.

4. Even though the philosophy or rationale of NEPAD is to bring development and stability to a poverty stricken continent through eradication of poverty, establishment of stable peace and security conditions, and to promote sustainable economic growth and development and to enhance Africa's participation in global political and economic affairs. The fact that it

identified lack of good governance as a root cause of the continent's inability to develop itself is an overwhelming fact among the woes of Africa and justification for integration.

Also important in that line of thought is African Peer Review Mechanism (APRM) to assess countries' performance in good governance on a voluntary basis, signifies an important shift towards genuine and progressive step in political thinking among African leaders. However, there seems to be skepticism on the efficacy of NEPAD and APRM due to lip service of most African elites when it comes to true practice of an ambitious program to pull the continent out of woes.

5. Rationalising the RECS, including adjusting their working relations with the AU; as of 2011 seven of the eight recognized RECs have established liaison offices at Commission in Addis Ababa (Field Notes 2011).

6. Launching a major drive to mobilize financial, technical and logistical resources for the tasks of the Union from within the continent, using a number of measures such as special tariffs on transport facilities (roads, airports, inland waterways and seaports) and sporting facilities;

7. Incorporating the inputs and energies of non-state actors into the construction of the Union.

Phase I would conclude with the articulation of an African constitutional framework for a true practice of supranationalism in which certain spheres of authority will be transferred to African Union Authority. In this regard, a major task would be the identification of building-block sectors to which power and authority could be devolved (Field Notes, 2011).

Phase 2 – forging stronger continental institutions and processes and building confidence

Phase II, which could also take about ten years, should spring from the gains and lessons of Phase I, especially concerning the strengthening of AU institutions and the advancement of

common policy and action in less difficult sectors. During Phase II, the first steps would be taken towards implementing an express devolution of authority, in a selective manner, to those institutions whose mandates closely hinge on the wider continental integration agenda. Organs or institutions whose mandates repose in such sectors as health, education, agriculture, environment, science and technology and peace and security could be among the earliest recipients of devolved authority.

At the same time, effort is being made to promote a unity of purpose and an ethos of common destiny, as well as to create conditions conducive to elevating psychological, cultural, political and economic integration of the continent. It is here that the rallying point of preserving and enhancing the self-recovered freedom and dignity of the Africans would play a major role. Similarly, the process of building towards an ultimate union is pegged on incremental confidence-building among the AU, RECs and the member states, with sufficient safety nets being put in place as insurance against unforeseen situations, including incidental disruptions within or beyond Africa, that could have an impact on Africa, risking a slowdown or disintegration in the process of building a union.

Phase II covers convening of a continental convention inter alia to review progress made, give new direction and lay the foundation for the establishment of a wide range of supranational institutions. The African Union, as a central building block for integration, is a union of independent sovereign states. The issue of national sovereignty must be addressed during the phase development within the context of a transition towards a stage of supranational governance. For the most part, this is a question of finding a more accommodating and constructive political formula that will reassure all stakeholders and

adequately underpin the establishment of a Union Government. Since independence, Africa has generally known centralized political systems. However, these phases are seemingly a paper work since modest achievement of integration at the sub-regional level has not gone beyond a REC to the wider continent of Africa (SIA 2010).

At the end of the cold war, in July 1990, the UN issued the ‘Declaration on the Political and Socio-Economic Situation in Africa and the Fundamental Changes Taking Place in the World’. At that time centralized one-party political systems were collapsing, giving rise to both loosely and closely centralized political systems throughout the continent. Both systems still have their proponents in many countries (Maruping 2009).

To prepare national authorities for sharing sovereign authority with a new political superstructure in Africa, there needs to be a well-considered system of advantages, benefits, safeguards and assurances between the national authorities, no matter how strong or residual they may be, and any new superstructure. Two options from which Africa would choose come to mind: federalism and confederacy. There is no need to dwell too much on federalism. Many have seen this system at work, especially in the United States. The system operates on the basis of federal units (managing those local and state affairs closest to the needs of the citizens, organizations and corporate entities) and a federal/centre that oversees broader national interests with respect to domestic and foreign policy and the provision of support in large-scale emergencies, as well as programs of national scientific research, design and development.

The effectiveness of American federalism, which ultimately aims to satisfy the needs of the citizenry, lies in the overarching balance of sectors of control and management between the federal units and the federal centre. There is less experience globally with confederacy, a concept that still has to be tested in practice. Confederacy may be difficult to construct on the ground. One reason is that there is fundamental difference, which is a very important one, from federalism. Another reason is that to build a confederation you have to pass through most of the federalist route. Confederacy is very different from political centralism, which is a more common political system. However, all these systems have one thing in common – the aspiration for the people, and not mere individuals, to be the real sovereign. The alternative is to go for sovereignty of ‘reason’ (the high or deep sense of separating right from wrong and going for what is right).

For Africa, a well-designed confederal approach may be an effective way to manage national sovereignty in relation to a major political transition such as the one envisaged in setting up an African Union Government. The continent has large-scale diversities, from historical, cultural and linguistic to ethnic, racial, religious and economic ones. The experience in Africa since independence has been that, rather than acting as a source of collective strength for the continent, these diversities have contributed – and still do – more stress, fracture and violence in society than unifying effects and convergence of opinion and conviction (Maruping 2009). This is as a result of poor method of use of unity.

And it signifies that a rush into federated integration would face the risk of the various contending forces working across-purposes with the federal arrangement, as each would seek space for self-manifestation and self-expression brought from the past. It also means

that if this became the main consideration, or a source of fear, then the current centralized national political systems would be seen as durably valuable for the continent. One could imagine the advantages of a confederacy in Africa's contemporary reality, in terms of how to tame and manage existing diversities for unity and convergence around a grand continental and economic-political enterprise: Wider accommodation of diverse interests and practices (Maruping 2009).

Consultation on decision-making among such 'confederal' units and between them and the confederal superstructure- flexibility given to confederal units to withdraw or harmonize more among themselves and with the confederal arrangement Clear allocation of areas of control and management between confederal units and the confederal superstructure. Preservation of peculiar cultures Retention of the people's sovereignty (when people are truly sovereign and not just a group of individuals, solidarity within a political system is much easier to mobilize). And since AU's mission statement on integration in 2010 has shifted from emphasis on government to peoples shared values, integration seems to be inclining to the people; thus, a change from mechanical integration to organic integration (SIA 2010).

Phase 3 – establishing supranational institutions

Phase 3 would start at the end of the 20 years of Phases 1 and 2, is for a culture of supranationalism to be forged. The underlying principle for the pursuit of the third phase, which could begin around the time of the maturation point as provided in the Abuja Treaty for the realization of an African economic community (2025/2028), would be the need for each independent and sovereign African state effectively to cede aspects of its sovereign

essence to the collective/continental sovereign political and economic superstructure, which could assume the form of a federation or confederation of African states or nations, and the need for that superstructure to develop its technical competence in the operative sectors.

Phase III would aim to enhance the conditions for effective establishment of supranational institutions on the continent in various sectors, building on experience and reinforcing those sectors capable of engendering greater common benefits for the African population/grassroots communities on a large scale. Some of the initial steps that could be taken to foster a stronger supranational arrangement could include the setting up (or consolidation if Phase II had initiated the process) of the following continental agencies:

Africa Infrastructure Development Agency (AIDA), to oversee studies, mapping, planning and implementation of standard physical infrastructure (roads, railways, internal waterways, tunnels, telecommunications, dry/ inland ports, etc.) and strategic research and development centers on the continent Africa Natural Resources Agency (ANRA), with a mandate to provide and implement a continental regulatory framework governing the exploitation and transformation of Africa's natural resources. The agency would aim to use natural resources effectively and properly for the benefit of African peoples, augment their posterity and stop the exploitation of natural resources to fuel conflicts and to curb the externalization of benefits beyond Africa before Africans receive their rightful share of them.

Africa Environmental Agency (AEA), with a cross-cutting mandate on issues of climate change and remedial action, afforestation and re-afforestation, preservation and sound cultivation of wetlands, anti-desertification projects and de-siltation of rivers, proper utilization of arable hillsides and control of surface and coastal erosion Africa Health Organization (AHO), with a mandate to undertake preventive programs and to support

fundamental research and development of pharmaceutical products targeted at fighting infectious diseases and pandemics. The agency would not duplicate the functions of the World Health Organization, but rather collaborate with it while focusing on African health needs.

Africa Space Agency (ASA), to undertake scientific research and the development of technology relating to outer space. The agency would draw together Africa's leading spatial scientists Continental institutions of this type, which should be developed on an incremental basis, would form the nucleus of Africa's future political and economic superstructure.

The advantage of these organizations, if properly guided, is that they would bring benefits to African peoples, thereby raising common conviction and trust in collective, supranational institutions. At the same time an African constitution, once elaborated to provide for jurisdiction of the continental organs and institutions and the rights and obligations of residual national authorities and African citizens, must be subjected to a referendum. If confirmed by the people, from that point onward common continental organs and institutions would shoulder the task of running the common affairs of the continent. This could be the highest point in the realization of the long-held vision of a united Africa. If it is to endure, the sovereign principle for guiding such a government would be the preservation and enhancement of the self-recovered freedom and dignity of each African, as well as the advancement of the material and spiritual interests of the African peoples (Maruping 2009 and Field Notes, 2011).

In summary, the economic, social and political development strategy of African integration as expounded above continue to suffer poor implementation due to the crises of lack of

complementarity between the forces of demand and supply of an African consumer and market respectively and also that of preference of regime interest against those of African Economic Community project by the member states of the AU.

2.7 Challenges to Africa's integration

The AU came into existence in Durban, South Africa, in July 2002 with an ambitious agenda to usher Africa into a new era of continental integration, leading to a deeper unity and a resolution of its numerous problems of practice of development through pooling of Africa's human and material resources. The evolution of the AU from the Organization of African Unity was visionary and timely. The defunct OAU did not live up to all of its norms, principles and ambition. Africa at the time of the demise of the OAU was a continent that was virtually imploding owing to the pressures of conflict, poverty and underdevelopment and public health crises like malaria, tuberculosis and HIV/Aids. And also, further marginalization of the continent in global trade despite its endowment as the richest continent in the world. Thus, the OAU had not lived up to its original ideals of promoting peace, security and development in Africa.

The AU has emerged as a homegrown initiative considering its reliance on the pre-existing RECs to put the destiny of the continent into the hands of the African people through intra-African integration. Whether it will achieve this objective remains to be seen, more so, none of the process of continental practice of regional integration is operational as of the year 2011 as contained in the AEC Treaty with the people e.g. free movement across sub regions (the RECs) between 2008-2017, despite the fact there is some success in treaty formulation and ratification at the RECs.

Also important, in our efforts to get visa in order to reach AU Commission at Addis Ababa so as to observe issues on African integration agendas, we were subjected to series of demands by the embassy of the Democratic Republic of Ethiopia in Abuja, Nigeria such that our movement was adjourned severally before it was finally made even in the light of AU's continental integration agenda, when applying for visa which involves repeated visits to the Embassy in order to embark on a field trip at the African Union Commission in Addis Ababa on integration subject; a requirement for this work which in itself is a challenge to continental integration in Africa.

Therefore, successful establishment of the AEC faces a huge challenge, more so as we cannot ascertain whether the creation of a continental Customs Union by 2019 could be achieved as contained in the stage processes of African integration. The importance of timing and sequencing are critical to continental integration implementation which is predicated on intra-state and intra-sub regional blocks and also popular collective purpose that is to be achieved.

The continent's current development endeavors are also compounded by numerous challenges, prominent among which are the HIV/AIDS, malaria and tuberculosis pandemics, which pose serious threats to human capital development. Contemporary global economic crisis may also pose its own challenges as well as create opportunities for regional economic integration in Africa. On the one hand, it could spin-off a slowdown in trading and economic activities, and adversely affects the revenue of Member States; while on the other hand; it could force African countries to trade more amongst themselves and engage in higher volume of economic transactions with each other, thus fast tracking the integration process, the desired intra-regional integration.

Even though, Member States belonging to different RECs have difficulties to implement overlapping activities in the same field. This results into duplication of programs and dispersal of resources among others (Swaleh and Flip 2011).

More so, there is no strong free movement across the sub-regional bodies in Africa as of 2011, and so the issue of deepening continental integration as the case of European Union is not the case with the AU as suggested by Pollack (1997), but with EU hence, the future of integration in Africa is not clearly bright.

On the aforesaid, Bela Belassa's exposition of the economic integration theory as graphically illustrated by El-Agraa (1961 and Koussi (2005) terminates at the stage of economic and monetary union, a fifth stage of integration without acknowledging a further progressing to a political union that leads to a final political institutional decision making of regional constitution and parliament which is provided in the AEC Treaty, a level of supranational governance; hence a gap provided in literature reviewed.

This work is therefore an attempt to contribute to debate and indeed knowledge, that there is a political dimension of integration whose absence has apparently, slowed economic integration in Africa.

2.8 Globalization and Integration in Africa

According to Encarta Encyclopedia (2009) Globalization, comprehensive term for the emergence of a global society in which economic, political, environmental, and cultural events in one part of the world quickly come to have significance for people in other parts

of the world. Globalization is the result of advances of liberalism in communication, transportation, and information technologies. It describes the growing economic, political, technological, and cultural linkages that connect individuals, communities, businesses, and governments around the world. Globalization also involves the growth of multinational corporations (businesses that have operations or investments in many countries) and transnational corporations (businesses that see themselves functioning in a global marketplace).

The international institutions that oversee world trade and finance play an increasingly important role in this era of globalization. Since integration is largely driven by trade which is also an important factor of globalization, it strongly suggests that globalization and integration are somewhat mutually inclusive. The truism of the former manifest in the problem of non-complementarity of trade relations between African states which implies that intra-trade relations in the continent will be insignificant but with third states. Moreso, since there is low industrialization in the continent, the implication of this will mean negative/bad effects of globalization on African states economies in the form of placing the continent as producer of raw materials and minerals cheaply to the international market and also flooding industrial finish goods cheaply in the continent, thereby frustrating the capacity of African economies to industrialized as a result of mass production by the industrialized economies and flooding of the African market. This further dampens the hope of AEC by 2028.

It is further confirmed by Joseph Stiglitz's *Globalization and its Discontents* (2001) which critically posit that globalization has not been pushed carefully, or fairly on liberalization policies prescribed by world financial institutions to revamp ailing economies in the

developing nations, particularly those in Africa have been implemented too fast, in the wrong order, and often using inadequate or plainly wrong economic analysis for example wholesome flooding of cheap industrialized goods from the industrialized economies. As a consequence, he argues, we now face terrible results, including increases in destitution and social conflict, and generalized frustration since it creates high unemployment as a result of de-industrialization.. The culprits are the IMF and its “market fundamentalists,” the “Washington Consensus,” and the US Treasury.

Furthermore, Stiglitz’s states that there are three interrelated policy issues at the center of negative or bad globalization: (1) in designing reform packages during the 1980s and 1990s, crucial aspects of the sequencing and pace of reform were ignored. As a result, in many countries, reform was implemented too fast. He suggested that it ought to have been gradual and in the right order. (2) Advocating (and imposing) capital account liberalization was a huge mistake. And (3), the IMF response to crises in Africa was a disaster that made things worse rather than better. In particular, imposing fiscal austerity and raising interest rates were terrible mistakes in the member countries which made several negative indices in terms of growth that can be addressed through intra-regional trade that promotes infrastructural and industrial development.

2.9 Theoretical Framework

Theoretical framework essentially refers to frame or paradigm upon which our ideas are organized and grounded on, or tied to, because it offers us a generalized bundle of ideas on the subject matter, and therefore, being the fountain of knowledge to the general

understanding of the phenomenon of inquiry. In addition, it helps to advance the course of knowledge on a subject matter; and may also be a critical disagreement with the aforesaid body of knowledge and thus, another contribution to the general understanding of the subject of inquiry meant to filling a gap when it is valid or conversely (Taylor and Bogdan, 1998).

This study employs Functional theory of international relations and Bela Belassa's theory of regional economic integration as theoretical framework, because the two theories are long and middle range theories respectively that offer clearance on the subject of integration.

Foundational thoughts on apolitical relations by states and people across national boundaries in a region in the modern era came from seminal knowledge of Leonard Woolf, David Mitrany and E.B Haas which led to theorization and practice of regional integration as a mechanism used to divert energies of war or disputes to achieve peaceful co-activities of apolitical nature in productive spheres of life predicated on agreements to cooperate in trade, free movement and pooling of resources for socio-economic, cultural and later in political developments; a prescription for peace in Europe pursued by the Functional and Neo-functional theoreticians (Encyclopedia Britannica 2009).

The functionalist approach essentially prescribes cooperation between people across national boundaries of states in technical, social, economic, cultural etc that are apolitical. It abhor situations of conflict or war that is rooted in states' sovereign-complexity to a focus on common welfare needs of human kind that are evident and to make frontiers of states meaningless through the continuous development of common activities and interest across

them. This becomes the basis of the natural community of feeling, a socio-psychological entity. The premises are those calculated to enlarge welfare of a larger community against the problem of war for the attainment of peace by transaction (Harrison 1974). These notions of transactions have led to the development of the EU with welfare objectives and an impetus in the emergence of the African Economic Community which seeks to achieve development objective in Africa, against the wider challenge of underdevelopment of global liberalism.

Similarly, the stage-by-stage program of the Abuja Treaty is based on the theory of Economic Integration as posited by Bela Balassa (1961). The application of the theory on the AEC process of integration is however modified since the RECs in themselves have to be subjected to the stage processes, being the constituent units for the process being replicated at the regional level (Sub-regional).

According to Balassa (1961 and 1962) Kouassi (2004), economic integration consists of five stages. These are: 1. Free trade area. 2. Customs union. 3. Common/single market. 4. Monetary union. 5. An economic union. These identified steps form the process that economic integration can take; however, the first which is the least complicated consists of the creation of free trade area. In this, tariffs and quantitative restrictions are eliminated on trade between participating countries, although each nation-state retains its tariff structure for third states but not for participants. These stages are depicted in the graph below; however the adoption of El-Agraa's model is further modified to explain the inclusion of a political union with a functional constitution and a parliament concretely justifying transfer of certain authority for supranational governance on common community's issues with third-states relation that is to be achieved by the AU in 2028.

Figure 2.9.1: Graphical representation of the stages of integration

5. Economic and Monetary Union		Central Bank with a single currency				
4. Monetary Union			Merger of fiscal and monetary administration			
3. Common/Single Market				One market with a single standard of goods and services		
2. Customs Union					Merger of customs regime	
1. Free Trade Area						Removal of obstacles to trade, human skills and capital (free movement)

Source: El-Agraa (1961) and Koussi (2005)

Balassa (1961) describes these stages as- a free-trade area where tariffs and visa requirement between the participating countries are abolished, but each country retains its own tariff against non-members. Establishing a customs union involves, besides the suppression of discrimination in the field of commodity movements within the union, the equalization of tariffs in trade with non-member countries. A higher form of economic integration is attained in a common market, where not only trade restrictions are removed but also restrictions on factors of production movements are abolished. An economic union combines a common/single market with suppressed restrictions on commodity and factor movements and with some degree of harmonization of national economic policies (policy

convergence) in order to remove discrimination due to the disparities in these policies in domestic practice of member states.

Finally, total economic integration presupposes the unification of monetary, fiscal, social, and countercyclical policies and requires the setting-up of a supra-national authority whose decisions are binding on Member States, thus supranational governance. Nevertheless, new theoretical development in the field explains integration on policy convergence between members to address security concerns, a precondition for industrialization and development that fits requirement of integration in developing countries (El-Agraa 1999).

Politically, it means citizens of cooperating countries will enjoy free movement without visa required from them and will ultimately lead to fluidity of means of production and of establishment not clearly indicated. However, economic integration theory as demonstrated by the graphic illustration failed to demonstrate the last stage of integration, the total political union (regional governance with constitution and a parliament, hence a theoretical gap uncovered to be filled by this study as shown above.

Other short and middle range theories of integration that provide explanatory analyses on the element-subject of integration are functionalism, neo-functionalism, communications theory, transnational, world society image and linkage politics. All these theories highlight the political aspects of integration rather than mere economics. Issues, such as peace and war, have been considered as triggers of integration. And this is basically, the very important step preceding economic intercourse across national boundaries. On the other hand, economic aspects of integration are largely explained by the regional economic integration theory adopted by this work. We have however reviewed the other theories of

integration here for their general contribution to the subject of regional cooperation on integration.

Expositions of Functional theory of international relations started as a non political approach rooted in David Mitrany's seminal ideas expressed his concern over the problem of war in Europe, in which he prescribed for international/regional community building. Other scholars have posited widely that the traditional functional argument is still relevant to the understanding of rudiments of regional integration theory (Harrison 1974).

Mitrany sees state's sovereignty as the instrument of anarchy. He formulated a strategy which was intended to lead at the world level, to a transnational social system or community. Current attempts at regional integration are also aimed at the creation of multi-national social system, and functionalist strategy may be one of the means to its attainment.

The functionalist approach is essentially apolitical. It abhor situations of conflict or war that is rooted in states' sovereign-complexity to a focus on common welfare needs of human kind that are evident and to make frontiers of states meaningless through the continuous development of common activities and interest across them. This becomes the basis of the natural community of feeling, a socio-psychological entity. The premises are those calculated to enlarge welfare of a community against the problem of war and for peace by transaction (Harrison 1974). These notions of transactions have led to the development of the EU with welfare objectives and an impetus in the emergence of the African Economic Community which seeks to achieve development objective against the wider challenge of underdevelopment of global liberalism.

However, critical to functionalist ideas are those of the neo-functionalist led by E.B Haas who disagrees with condemnation of the state system by the functionalist school because they argue that functional activities can only be facilitated by the state system since they are the primary actors that provides apolitical paradigm of activities in transactions across national boundaries (Haas 1970).

Transactions by state actors (intergovernmental) of course, dates back to the congress of Westphalia of 1648 which take some form of an institutional framework, ending 80 years war between Spaniards, the Dutch and Germans or the 500 years of intermittent wars among European nations from 1445-1945 (Encyclopedia Britannica, 2009) and (Goldstein and Pevehouse, 2010), this may be very incomplete to those of the contemporary time institutions. Nevertheless, what actually happens and of importance, it is a starting point. It is a sign post to activity of modern integration. But an organizational form may be more than this. It can also be the forum for decision making, that is, the process by which demands are made, goals are determined, roles are allocated, means are devised and feedback is assessed, is crucial in any attempt to describe and explain behavior, the institutional aspects of organization becomes of great interest and relevance to regional organizations.

However, it was not until an equally famous postwar congress, the Congress of Vienna in 1814-1815, a regional organization of states that crystallized into what can be said to be the evolution of a modern intergovernmental organization (Groom, 1985). According to him, organization can be categorized as either high or low, in terms of their institutional businesses. He said what can be called high organization defined at the historical congresses and the Hague conferences, because their activities were essentially, power-

politics. This is typical of the role played by the contemporary Security Council of the UNO or NATO.

On the other hand, Low politics organization presupposes roles played by intergovernmental bodies saddled with regional integration that are by and large, apolitical cooperation among states in a region to arrive at a community, comparable to the EU and the prospective AU of 2025. The principle of low politics organization is enshrined in the theoretical exposition of David Mitrany's theory of functionalism of international relations. According to Taylor (1985), David Mitrany's idea was particularly important in the development of thoughts about the role of international organization, and is the basis of works of modern integration theory. Even a group of American scholars called neo-functionalists, took Professor Mitrany's ideas as one of the starting point of their own thinking about integration between states, particularly with the European Union. There are also intellectual link between formed islands of theorizing about international organization in international economic relations; these include transnational relations, the world society image of international relations, and linkage politics.

The existence of these links is one reason for adopting Mitrany's ideas to explain European political dilemma after the first World War and just before the end of the second World War- *A working peace system* (1943), has sometimes been amended so far as to lose much of the original form and value; And their influence among scholars and servants of international organization. It however, illustrates a belief in the continuing relevance of the theory to contemporary problems, is a further justification of the relevance of Mitrany's idea. In sum, the crust of Mitrany's ideas posits that functionalism stress the importance of

allowing states interrelationships and interdependence to develop according to the state's primary purpose, for the welfare of its greatest number.

In inquiry and analysis, functional theory of international relations represents a solution to the problems encountered by international organization while managing peace among nation-states and also managing the problems of war caused by state-centric state system. It represents a framework for development of international economic, social, technical or scientific and cultural cooperation as a solution for total elimination of war and acrimonious relation

The problem of our time is not how to keep nations Peacefully apart, but how to bring them actively together binding those interest that are common, where they are common, and to the extent to which they are common. (Mitrany in Moon, 1990).

Acrimonious tendencies of the state system is rooted in the power-politics interaction which places international statesmen of states vertically against each other and are often than not, inclined to war. Therefore, under functionalism, states are symbolized by horizontal division of connectivity in a regional economic integration engaged in non-political roles that will trigger circles of activities across national boundaries. In this process, states will be brought together in a working peace system and not in a protected peace in which they inherently and jealously guard their sovereignty, but to the process of peace in bits of activity leading toward a unity, federation and ultimately a world society.

Functionalism proposes certain steps against causes of war, if war is to be prevented:

- War is a global disease that is caused by grave deficiencies in the economic and social circumstance of mankind. Poverty, misery, ill health and illiteracy are factors

which creates desperation, frustration, fear and hatred-all of which makes the world susceptible to war.

- Solution: Functionalism proposes that alleviation of the social and economic condition of poor societies through elimination of poverty incalculable solution is found to the problems of war.
- Functionalism also sees war as a result of the institutional inadequacies of the nation-state system. This is because the state is incapable of promoting meaningful economic and social developments of societies due to rigid patterns of vertical divisions, which are jealously guarded by sovereignty in contrast to horizontal links of 'brotherhood'.
- Solution: Here functionalism proposes to abolish state-centric system. This can be done by organizing layers of human activities in accordance with particular requirement cross-crossing national boundaries. Finally, functionalism contends that due to the subjective/selfish conditions of mankind, it similarly shape the attitudes and habits of statesmen and invariably responsible for the causes of war.
- Solution: Thus, functionalism seek to build habits and links of cooperation in mankind as an enshrined framework, being intended by the African Union regional integration and its goal to achieve complete union (African Economic Community) by 2025, down-playing in particular, activities of diplomats and security men who needed a change because they are the principal actors in the causes and sustenance of war. This means emphasis on private intercourse of Africans across the length and breadth of the African continent.

The question again is how far has the African region fared in the AEC integration? The theory of Bela Balassa's step-by-step process of integration is what was outlined in the Abuja Treaty, but the forces that make or mar the progression from one step to another has however been explained by other short, middle and long range theories of integration . This study specifically adopts the theory of regional economic integration and the desire of the study to attempt to bring new empirical data that can help to understand the dynamics of the African integration as embodied in the Abuja Treaty in an attempt to fill the gap in the existing literature.

CHAPTER THREE

METHODOLOGY

This chapter presents the method used in gathering the secondary and primary data for this study and also the method used in analyzing the data collected.

3.1 The Study Area

The study area is Africa, but the collection of primary data was conducted at the African Union Commission (AUC) the main continental-regional institution that coordinates integration process in Africa empowered by the AU Constitutive Act of 2000 which incorporates the AEC, Kennes (2002). The Commission is in Addis Ababa, Democratic Republic of Ethiopia-a high altitude city of 3000-5000 ft above sea level with temperature some time dropping below 10 degrees Fahrenheit which is not healthy for long stay of people with heart-related complications because of high altitude syndrome (over 30 percent low level of oxygen) available in the air. However, a healthy body can adapt immediately to the environment (AUC clinic 2011).

The research was conducted from June 1 to August 19, 2011 through participant observation in the Department of Political Affairs. The Commission has total staff strength of 1004, AUC Organogramme (2010). The Commission is the secretariat of intergovernmental relations of African states having the authority to enter into agreement on behalf of member states in international affairs as found in treaties, charters, declaration and mandates. That was why African states maintained 'Africa group' at the United Nations, a block voting group which culminated as the main variable in the formation of group of 77 developing countries of the southern hemisphere (the South-South cooperation) and still an important global player. Also important, the AU maintains permanent observer

status at the United Nations General Assembly and a special diplomatic representation with the European Union, and the United States, (webmaster, 2011).The AU is consisting of 54 African states, having admitted the Republic of South Sudan in August 2011 as the newest member. The only all-African state not in the AU is the kingdom of Morocco.

3.2 Data Collection

The study was based on secondary and primary data. The secondary data were obtained from systematic extraction of data of relevance in both published and unpublished sources. These included books, journals, theses, magazines, reports, monographs and newspapers, and also treaties, charters and declaration in order to understand the subject matter of continental integration and the context of issues revolving around its practice across sub regions of the continent which is to mean, the continent as a whole in an attempt on policy convergence as well as governance.

The primary data was mainly drawn from field notes taken from transcription of respondent responses in oral interviews where there is refusal to be on audio-tape. Rita Amukhobu (Senior Political Officer) is a case in point. However, other interviews were conducted via the audio instrument. There were also notes taken through observation of integration management and other bureaucratic issues in the Department of Political Affairs of the AU Commission in Addis Ababa, Republic of Ethiopia from 1 June to 19 August 2011. The participant observation method was employed during the internship, which was made possible with research funding provided by the Education Trust Fund (ETF) now Tertiary Education Trust Fund (TetFund) (see appendices).The internship was necessary to get first hand information on how the AEC Treaty is being implemented. The AU Commission is a strategic location because it is the focal point of the African integration: The Commission is

the regional implementation agency; the RECs are represented in the Commission through their liaison officers and; the member states have ambassadors accredited to the Commission as well as the host country, Democratic People's Republic of Ethiopia.

The researcher's journey to Ethiopia was made possible after difficult efforts made to get visa from the Ethiopian embassy in Abuja. These included provision of letters of recommendation from dissertation's major supervisor, Professor P.P. Izah who wrote a letter to the Vice-Chancellor of Adamawa state University, Mubi; my place of work, Professor Alkasum Abba on the need of funding for the field work whose approval facilitated funds for the research work and also a letter of invitation from the African Union Commission in Addis Ababa.

The letter of introduction from the AU Commission was made possible through written application by the researcher, letter of recommendation from the Department of Political Science, A.B. U; Zaria and contact with a Nigerian Assistant Commissioner of Police, Mrs. Zainab Pembi who was then attached with the AU's Stand by force that deposited the application and acceptance for the internship, apparently because the Commission is wary of any form of financial liability which I assured them before securing the approval, see appendix 8.

The internship offered an opportunity to collect data through participant observation as it was seen firsthand, how issues relating to integration are handled in highly confidential manner when research questions to officials result in giving official reports without dissecting them. The main targets of the research interviews were mostly with the senior executives and professional staff.

These individual-subjects are statutory study participants on the subject matter and can be said to be a unit of study and analysis as against junior and middle ranking staff that may not be grounded on the subject of integration, hence the adoption of interview method principally for primary data generation. Therefore, the goal is to have an insight for ultimately descriptive (what is going on with continental integration in Africa); explanatory (why is continental integration in Africa happening the way it is after the Abuja treaty of 1991 towards the Africa Economic Community-AEC project); and the way forward on continental integration in Africa which is- exploratory research report on continental integration in Africa that moves beyond integration in sub-regional communities -the Regional Economic Communities (RECs).

The internship experience provided insights into regional integration process in the continent from some professional staff and executives of the AU Commission. From day one, I was made to undertake different assignments, which included attending meetings and taking of minutes of meetings; preparations of election reports of country profile of Republics of Cameroon, Tunisia and Sao Tome and Principe and also developed a paper on Human rights and integration in Africa. And also access to secondary material as mentioned earlier.

Generally all social science research report is a form of narration where a research worker presents a story of phenomena in order to communicate to readers, (Taylor and Bogdan, 1998). Nevertheless, there are problems associated with survey research, especially, when study subjects of an inquiry choose to behave differently, (Izah, 1984).

Nevertheless, counting on its advantages, participant observation in the field research allows us to understand the AU as an international actor of African states whose main objective is to achieve continental integration through its commission, by means of regional economic communities (RECs), and member states offers opportunity of knowledge on the subject of inquiry.

A human actor is constantly interpreting his/her own acts and those of others. To understand human action we must not take the position of an outside observer who sees only the physical manifestation of these acts; rather we must participate and observe in order to develop categories for understanding what the actor is- from his/ her own point of view in his/her actions; (Yanow and Schwartz-Shea, 2006).

Specifically, the study adopted the use of interview and a study of AU's declarations, charters and treaties to generate primary data and also use of other information in literary materials as secondary data in the Commission's Central Library and the Resource centre, all in Addis Ababa, in addition to materials used in Nigeria.

Interviews were conducted with the following professional staff of the Commission: 1) Dr. Mamadou Dia (Head of Division, Democracy, Governance, Election and Human Rights), 2) Chrysantus Ayangafa (Senior Political Officer), 3) Rita Amukhobu (Senior Political Officer), 4) Mbari Calixte Aristide (Senior Political Officer), 5) Ato Girma Zewdie (Head, Africa-Arab cooperation), 6) Dossina Yeo (Acting Director, Economic Affairs Department), 7) Shumbana Karume (Head, Democratic Election Assistance Unit), 8) Hammad Salla (Human Rights expert), 9) T. Philibert Magere (East African Community Liaison Officer to the African Union), 10) Raheemat Momodu (Economic Community of West African States Liaison Officer to the African Union). However, unable to interview Liaison officers of South African Development Community, Intergovernmental Authority

on Development and Common Market for East and Southern Africa. Also important, efforts were made to interview the Chairperson of the commission, Director, political Affairs and other prominent personalities but to no avail due to their tight schedules and frequent missions (assignment travels) abroad this forms delimitations of the research.

Other constraints encountered in the course of generation of primary data is actually accentuated by the framework of my admittance to the AU Commission, as an intern and not as an independent research worker which deny me full attention to my research work, but to strike a balance between assignment schedules and the research itself, even when the latter is primary reason for the voyage in the first place.

Also important, the commission is not liable in whatsoever form to interns and by implication, internship at the Commission is only conducive to Ethiopians and at best to residents of Addis Ababa considering high cost of living to foreigner since the economy of the country is basically a service one relying mostly on foreigners for foreign exchange.

In summary, there is no institutional framework for mutual benefit between interns and the Commission. An intern is allowed to observe, be given assignment and obtain work experience at his/her expense without any form of obligation from the Commission throughout stay.

Nevertheless, the internship ultimately strengthened and widened the researcher's knowledge, understanding and experience on regional integration in an African international organization, where the application of a strong rapport with the staff members invariably, helps in accessing valuable primary data.

3.3 Method of Data Analysis

The analysis of primary and secondary data collected is done qualitatively. In the analysis of primary data, both written interview responses and audio responses were transcribed and read severally to draw inferences and deductions by way of interpretation. Inferences and deductions made were compared with secondary data collected through content analysis. In some circumstances, tables were used to support the data. The study used the primary and secondary data to arrive at convergence or divergence on subject or occurrence. Interpretation by way of explanation is made objectively through supporting data to reach analytical conclusion, thereby, making inferences and generalization based on the aforesaid data collected.

Despite these challenges, the research work has been able to elicit data from professional and executives' officers of the Commission who were interviewed. These interviews have helped us in overcoming the problem of validity that is often associated with participant observation when some subjects of the population choose to behave otherwise. For example, the case of interview respondent-Rita Amukhobu (Senior Political Officer) having refused to be interviewed on tape but accepted paper transcription at the Commission is a case in point. That is why De Walt and De Walt (2011) observed that, what people say they believe and say that they do is often contradicted by their behavior. Given this frequency of human inconsistency, observation can be a powerful check against what people report about themselves during interviews.

The adoption of this method is based on the fact that, the commission being the secretariat of intergovernmentalism between African states which manages integration in socio-economic and political spheres of the states as enshrined in the AEC Treaty, then

aggregated data obtained through interview will invariably represent reliable information on –what progress is with the process of continental integration and the limitation(s) to help us come up with quantum of data on the phenomenon of inquiry for description and ultimately to offer explanation on the reality with high level of precision (reliability) on the subject matter.

In the work, secondary data were analyzed using content analysis. The process involves categorization of issues into themes in order to help us solve the research problem and assumptions. The study suffers limitations on inferences made with content analysis. Content analysis is only an analytical tool used for information from text and therefore the study may not be able to measure their internal validity to prove whether there is bias or not from authors, hence reliance on external validity from a third- party analysis on written or verbal information.

In the used interview method, audio tape recorder has helped to substitute the role of research assistance that would have been there to take minutes and do some kind of moderation which has been simplified by technology covering 450 minutes of recorded discussions which are presented in a narration.

3.4 Limitation of Methodology

According to Izah (1984), some of the limitations that a researcher could face in a field work method using participant observation instrument is resistance to use a particular set(s) of instrument they are not comfortable with, especially when they choose to behave differently. Rita Amukhobu (Senior Political Officer) having refused to be interviewed on tape but accepted paper transcription at the Commission is a case in point. That is why De

Walt and De Walt (2011) observed that, what people say they believe and say that they do is often contradicted by their behavior. Given this frequency of human inconsistency, observation can be a powerful check against what people report about themselves during interviews.

CHAPTER FOUR

INSTITUTIONS AND FRAMEWORK OF AFRICAN INTEGRATION

4.1 Institutional Framework of the African Union

The new African intergovernmental organization, AU, which transmuted from the defunct OAU, seems to be more ambitious. Apart from its grounding on African solidarity, it's imperative hinges on sub- regionalism and continental integration; promotion of human rights and democratic governance; the promotion of peace and security; Africa's participation in the global economy, as well as development issues with reference to science and technology. Also important, the AU ambition has shifted from the policy of non-interference in the domestic affairs of member state to non- indifference, particularly, on human rights and humanitarian issues.

The AU is composed of ten organs as shown in the diagram above , some of which were inherited from the defunct OAU, the rest are entirely new innovations, which give the AU some peculiarities and thus, makes it different from the preceding body. Those organs are to complement each other in overlapping roles. They are as follows:

1. The Assembly of Heads of State and Government. It is the supreme organ of the AU;
2. The Executive council, which is responsible to the Assembly and is composed of the designated representative of member Governments;
3. The AU commission which is made up of a chairman or chairperson, deputy chairman and portfolio based commissioners, is the administrative machinery of the AU (AU's Bureaucracy);

4. The permanent representative's committee is charged with the responsibility of preparing the agenda for the Executive Council;
5. The peace and security council is charged with conflict management and resolution initiatives;
6. The Pan-African parliament is a landmark development that is intended to allow for representative democracy and constitutional development intended draw full participation of Africans in good governance at the continental level. It is a new initiative to impact positively on political developments in respective member states of the AU as decided at the parliament;
7. The Economic, Social and Cultural Council (ECOSOC) is to draw its membership from professional groups to achieve viable non-political cooperation and practice on the continent;
8. The AU court of justice shall arbitrate and adjudicate on matter that borders on inter-state and intra-state disputes;
9. Specialized committee that covers management in agriculture, trade, customs, immigration, finance, science and technology, health, labour and education; and
10. The financial establishment that covers Continental Central Bank, and Investment Bank, and Monetary fund.

Also important, the African Union Commission based on the Executive Council decision at Maputo, Mozambique 4-8 July 2003 has the following membership: Chairperson; Deputy Chairperson; Eight (8) Commissioners; and other Staff members (904) who constitute the bureaucrats of 1004 in all to implement decisions of member states. Each of the

Commissioners heads a department, but a director is the operational head of a department in the Commission which is 8 in number (Maputo Declaration 2003). These are:

1. PEACE AND SECURITY (Conflict Prevention, Management and Resolution, and Combating Terrorism);
2. POLITICAL AFFAIRS (Human Rights, Democracy, Good Governance, Elections, Civil Society Organizations, Humanitarian Affairs, Refugees, Returnees and internally Displaced Persons);
3. INFRASTRUCTURE AND ENERGY (Energy, Transport, Communications, Infrastructure and Tourism);
4. SOCIAL AFFAIRS (Health, Children, Drug Control, Population, Migration, Labour and Employment, Sports and Culture);
5. HUMAN RESOURCES, SCIENCE AND TECHNOLOGY (Education, Information Technology, Communication, Youth, Human Resources, Science and Technology);
6. TRADE AND INDUSTRY (Trade, Industry, Customs and Immigration matters);
7. RURAL ECONOMY AND AGRICULTURE (Rural Economy, Agriculture and Food Security, Livestock, Environment, Water and Natural Resources and Desertification);
8. ECONOMIC AFFAIRS (Economic Integration, Monetary Affairs, Private Sector Development and Resource Mobilization).

The objectives of the AU as contained in Article 3 of the Constitutive Act adopted on the 11th day of July, 2000 is not far-fetched from those of the defunct OAU, except in its objectives to promote democratic principles of governance and regional integration in the continent. However, the African Union's goal or purposes shall be to:

- (a) Achieve greater unity and solidarity between the African countries and the peoples of Africa;
- (b) Defend the sovereignty, territorial integrity and independence of its Member States;
- (c) Accelerate the political and socio-economic integration of the continent;
- (d) Promote and defend African common positions on issues of interest to the continent and its peoples;
- (e) Encourage international cooperation, taking due account of the Charter of the United Nations and the Universal Declaration of Human Rights;
- (f) Promote peace, security, and stability on the continent;
- (g) Promote democratic principles and institutions, popular participation and good governance;
- (h) Promote and protect human and peoples' rights in accordance with the African Charter on Human and Peoples' Rights and other relevant human rights instruments;
- (i) Establish the necessary conditions which enable the continent to play its rightful role in the global economy and in international negotiations;
- (j) Promote sustainable development at the economic, social and cultural levels as well as the integration of African economies;
- (k) Promote cooperation in all fields of human activity to raise the living standards of African peoples;

- (l) Coordinate and harmonize the policies between the existing and future Regional Economic Communities (RECs) for the gradual attainment of the main objective of the Union (political and socio-economic integration of the continent);
- (m) Advance the development of the continent by promoting research in all fields, in particular in science and technology;
- (n) Work with relevant international partners in the eradication of preventable diseases and the promotion of good health on the continent (Maputo Declaration 2003).

4.2 Organizational Structure of the African Union Commission

The Organogram below shows AU Commission's institutional framework with total number of 1004 staff as of 2011, though, due to problem of staffing 669 staff were recruited in addition to the former in 2012 in comparison with the EU which has a total of 33,000 employees in the same year (auwebmaster 2012).

In the AU Commission, the first practical task to oversee and coordinate continental integration process is wholly left with the Department of Economic Affairs (EA) in the first blue cell-left in the chart below, whose practical role is essentially economic administration and synthesis of economic indices from member states and sub regional bodies, thus, the progress made at each of the eight (8) recognized building blocks of the AU. Whereas, economic activities are super structural and indeed 'driving' aspects of integration which are by and large, issues of production, trade and consumption. However, the EA cannot coordinate its responsibilities with that of the Political Affairs Department where the latter is basic and climax of integration in policy convergence of states, even though, all integration practice begins with economic step after states' policy on integration. Therefore, the Economic Affairs (EA) is the super-structure and the mechanics of integration process

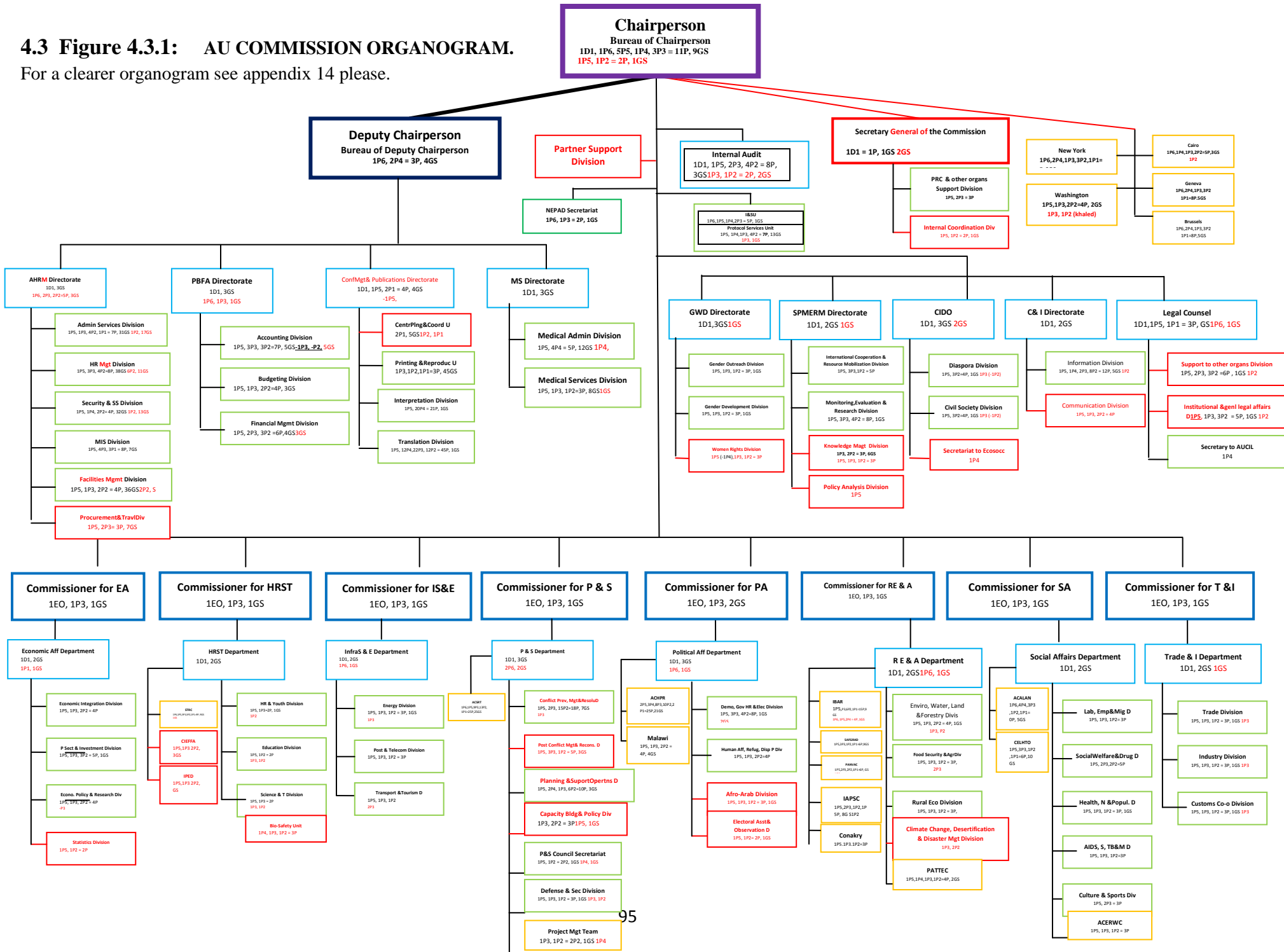
between states and not the other way round. With this situation having no symbiotic coordination between the two departments, real continental integration is ignored.

For Political Affairs Department, the fifth blue cell from the left in the chart (PA), is similarly caught up in the structural dysfunction in the AU where its basic responsibility is principally tied to overseeing policy convergence of agreements/treaties/protocols/declarations or mandates in domestic polity of member state through diplomatic maneuvers on continental agenda is ignored, but left to handle issues on supervision of democracy and good governance, human rights, displaced persons in conflicts and elections which are part of supra-national issues on policy convergence and domestication in integration practice without strong institution of enforcement.

This means there is no institutional cooperation at the African Union Commission in Addis Ababa between the Department of Political Affairs and the Department of Economic Affairs on mainstream economic issues to fast track diplomatic maneuvers on member states for policy convergence through political officers and legislatures for domestication of ratified agreements despite short term fears on sovereignty and immediate sacrifices that regional states must do in a workable economic integration.

4.3 Figure 4.3.1: AU COMMISSION ORGANOGRAM.

For a clearer organogram see appendix 14 please.



This further reveals that with knowledge or ignorance by professional and executive staff of the Commission seem to be comfortable with lack of coordination and indeed confusion in the Commission system with regards to proper allocation of duties since their welfare in travelling and other allowances continue to flow to them through series of ‘fruitless’ meetings often called “mission”, depleting limited resources of member states, and further raising questions- as to whether continental integration can be achieved in Africa.

4.4 Responsibilities of Different Departments and Directorates in the AU Commission

As against Maputo Declaration of 2003 which provided for eight departments at the Commission in Addis Ababa as working bureaucratic machinery of the African Union, the Summit of Heads of States and Government in the year 2012 approved establishment of three extra departments and two directorates (auwebmaster 2012), thereby, making a total of 11 departments as against 8 existing previously at the AU Commission. The directorates outlined below show how complex the Commission bureaucracy is. It also indicates how multi-dimensional the integration process has become.

Office of the Chairperson

Office of the Legal Counsel

Status of country ratifications, drafting and interpretation of treaties

Women, Gender and Development Directorate

Gender issues, country reports for implementation of solemn declaration on women’s rights

African Citizens' and Diaspora Directorate (CIDO)

Civil society and Diaspora issues, accreditation to meetings, observer status, support to ECOSOCC

Office of the Deputy Chairperson

Protocol -Accreditation procedures

Departments Headed By Commissioners with Directors Directing Them

Department of Conferences and Events

Organization of AU meetings

Department of Human resources

Management of AU Commission staff

Department of Finance and budget

Analysis of AU budget and resource allocation priorities

Department of Peace and Security

New name: Peace Security and Common Defence

Conflict prevention and management, peacekeeping, terrorism, and transnational crime

Department of Political Affairs

New name: Political Affairs and Coordination of Common Positions on

External Relations

Political cooperation, governance, elections, human rights, humanitarian affairs, free movement of persons, financial and crimes

Department of Infrastructure and Energy

Transport and energy infrastructure.

Department of Social Affairs

New Name: Health and Social Affairs

Children, crime prevention, human trafficking, population, migration, labour and employment, sports and culture, epidemics including HIV and AIDS.

Department of Human Resources, Science and Technology

New Name: Education, Human Resources and Science and Technology

Information and communication technology, youth, research, universities, an intellectual property.

Department of Trade and Industry

New name: Trade, Industry and International Cooperation

International trade negotiations, trade, industry, customs and immigration, free movement of goods and services, and tourism.

Department of Rural Economy and Agriculture

New name: Rural Economy, Agriculture and Environment

Agriculture and food security, livestock, water, desertification, natural resources, and climate change.

Department of Economic Affairs

Economic integration, international economic cooperation, monetary affairs, private sector development, investment and resource mobilisation, poverty reduction, and statistics.

From this elaborate structure of the AU Commission, it is obvious to note that the African integration is proceeding on a wide ranging issues and fronts, which complicates the process and draws on meager resources of the Organization (auwebmaster 2013).

4.5 Situational Analysis of the Abuja Treaty and the African Integration

African countries have a fairly long history of repeated attempts to group themselves in sub-groups and even Africa-wide, through several broad types of arrangements. For example, the East African Community (EAC) and the francophone in West and Central Africa started in the 1950s under colonial rule. Many researchers have argued that regional integration and cooperation are the most appropriate way to improve weak intra-African trade as well as internal (domestic) trade of states with political independence and self determination (ARIA 2010). Many of the more popular arguments rest heavily on the possibilities of generating large economies of scale from activities typically associated with expanded trade and overall economic growth in a member country, and not in favor of trading with third states.

The path to African integration has been marked by a series of major initiatives and political decisions to accelerate it or infuse new momentum, and to integrate variables of new imperatives in international economic relations. The Abuja Treaty (signed on 3 June 1991 and became operational on 12 May 1994) stipulates that African states in their effort to strengthen their RECs, in particular by coordinating, harmonizing and progressively integrating their activities in order to attain the AEC, which would gradually be put in place during a 34-year transition period subdivided into six stages.

Another major initiative came on 9 September 1999, when the Heads of State and Government of the Organization of African Unity issued a declaration (the Sirte Declaration) that called for the establishment of an African Union, with a view, among other things, to accelerate integration on the continent to enable it to play its rightful role in the global economy while addressing

multifaceted social, economic and political problems compounded by factors such as the negative aspects of globalization (OAU 1999).

Yet despite the adoption and implementation of the current initiatives, results remain mixed. Whereas certain RECs have achieved tangible outcomes in some specific sectors, others have had relatively disappointing results in terms of the objectives of the Abuja Treaty. The AU, its principal architect of integration was to manage and assess the success of the process, but faces some challenges in fully fulfilling the role given to it, particularly in coordinating, harmonizing, monitoring and assessing activities, projects and programs destined to boost integration.

The RECs which is adopted as the building blocks of the integration project are facing a number of implementation challenges too, including inadequate financial and manpower resources to support their numerous integration initiatives and institutions. These challenges have contributed to slowing progress towards regional and continental integration. In order to address them, the AUC is working closely with the RECs and has outline a wide range of initiatives among which is the Minimum Integration Program-MIP, however, this initiative is not producing substantial positive result on economic integration (ARIA 2010).

However, several RECs have made some modest progress in accelerating the regional integration agenda, although they still need to make tremendous efforts to harmonize policies, especially Africa-wide. Some of the RECs like COMESA, EAC, ECCAS, ECOWAS and SADC have set up a free trade area, while CEN-SAD and IGAD are still in the process. AMU has not gone anywhere a part from its establishment by a Treaty. COMESA and EAC have initiated a customs union: COMESA launched its Customs Union in June 2009 with an implementation framework

of three years; EAC has a fully operational customs union. Other RECs plan to become fully-fledged customs unions in the coming years.

In West Africa, there is a growing rapport between ECOWAS and UEMOA, leading to their adopting a common program of action on a range of issues, including trade liberalization and macro-economic policy convergence (SIA 2009). In Central Africa, ECCAS and CEMAC are making efforts to increase their working relationships towards harmonizing their programs. In Eastern and Southern Africa, IGAD and the Indian Ocean Commission (IOC) are applying most of the integration instruments adopted within COMESA. EAC and COMESA have a memorandum of understanding to help harmonize their policies and programs, while COMESA and SADC have set up a task force to deal with common issues and invite each other to their policy and technical meetings. And currently, the tripartite FTA between COMESA, EAC and SADC is under negotiations. These negotiations are expected to be concluded in 2014 (SIA 2011).

However, as of the year 2011, several RECs have made some progress at sub regional level in accelerating the regional integration agenda, although they still need to make tremendous efforts on policy convergence, especially continental. For example, COMESA, ECCAS, and ECOWAS have set up a FTA, while CEN-SAD, EAC and IGAD are in the process. SADC and COMESA have initiated a customs union: COMESA and SADC launched their Customs Union in June 2009 and 2010 respectively with an implementation framework of three years. It means as of the year 2013 and 2014; EAC, COMESA and SADC would have attained an operational customs union. Other RECs plan to become fully-fledged customs unions in the coming years (SIA 2011).

**EXCERPTS OF THOUGHTS/OPINIONS OF INTERVIEWEES ON THE SUBJECT OF THE
AEC INTEGRATION (NARRATIVES)**

But then, why slow implementation of the AEC Treaty in pursuance of continental integration agenda? In response to that, Mr. Mbari Calixte Aristide, Senior Political Officer at the AU Commission opined ‘that fundamental issues of integration has to be addresses since African Heads of State and Government (HS&G) have ratified continental shared values as enshrined in NEPAD, it implies that we need to simultaneously, pursue local, national integration of member states which could easily lead to sub regional and continental integration in Africa’. He went to conclude that, poor implementation of the Abuja integration schemes is as a result of bad leadership and corruption (Field Notes 2011).

The above statement was further corroborated by Mr. Chrysantus Ayangafa, Senior Political Officer in the AU Commission, who said: ‘you are from Nigeria, your country trade largely in oil. Do you want my country (Cameroon) to trade with you without complimentary economy. That will only mean like admitting you into my house where you will eat my food, sleep with my wife and beat my children. Can you call that integration?’ He then went on to say that, ‘the AU institutions are empty shells’. This was earlier suggested by Olivier 2000 that the AU Commission is somewhat, an empty silo.

For Ms Shumbana Karume, Head of Democracy and Election Assistance Unit of the AU Commission. The unit she heads in Political Affairs Department monitors elections in AU member states across the continent, even though, most elections monitored were undemocratic. An example was the Republic of Cameroon country’s profile on election that I wrote reveals that

governance on election matters is directly under the president through the ministry of territorial affairs with the president appointee. I advised the AU office then that it will be impossible for there to be a credible election under such a system (Field notes 2011).

Dr. Mamadou Dia, Head of AU's Division of Democracy, Human Rights and Elections: Interview centered on the current stage of the road map of economic integration in Africa based on the Abuja Treaty. He expressed pessimism with the attitude of most Member States towards the implementation process, where he said: 'member states are the problems of integration in Africa', which essentially to mean their lack of practice of integration agreements in policy convergence in their domestic systems stalls integration in itself.

Rita Amukhobu, Senior Political Officer: In an interview with her after having refused audio recording. She said basically integration in Africa suffers from lack of political will and governments do not see the direct benefit of it, unlike good records at some RECs. She also said, integration with industrialization is a precondition for global survival looking at the challenges of international trade that is often in the interest of the developed economies. And so integration process in Africa now is being pursued unlike the history of integration in Europe. Africa's integration experience is not private sector driven where industries are established by them.

On the question of blaming external economies for lack of progress in African integration, she said, our complexity lies in our self-centered mentality that we cannot see how the Asians remove poverty of the minds and moved forward under ASEAN employing mental capacity and education as instrument of industrialization for integration learning from the Europeans. She also went further to say, Africa has the problem of weak institutions and structures which is another factor responsible for slow speed of integration. Other problems affecting African resolve for

integration is that of the indifference to the ill treatment of African migrants to Europe and other develop regions who went in flight for greener pastures against the labor factor needed at home for Africa's integration. We need to develop continental citizenship and stop frustrating free movement of private people that exists unofficially. But the moment you are insisting on visa requirement you are not encouraging integration but promoting state system where officials at the borders will continue have a field day against integration process who only recognizes state officials, and their 'duties'. This is in contrast with the European integration process.

Raheema Momodu, ECOWAS Liaison officer to the AU Commission: In a brief interview granted she said, there is substantial progress on free movement and trade liberalization scheme in the West African sub region and the focus in the course of integration has shifted from ECOWAS of inter-governmentalism to ECOWAS of people. Other schemes are awaiting practice sequel to ratification.

Second response by Mr. **Chrisantus Ayangafa**, Senior Political Officer for primary data generation: the interview was more of a lecture: He discussed the dimensions of integration (people-centered, policy and institutional aspects) vis a vis the AU's approach. AU integration is dominated by the concern with establishment of supranational institutions, but these institutions are there, but in fact are 'empty shells'. The AU leaderships perceive integration as a linear /unidirectional process or mechanical process and indeed institution building integration. But economic integration is about gains and compromises. The AU Commission has established institutions but has not been able to institutionalize policy convergence in state practices. Integration is about people, bringing them together and bringing benefits to them-political, security, economic benefits etc. It is not about "Pan Africanism" or some empty solidarity. Integration is also about resource collective mobilization and utilization. These have not been

articulated well in African integration. Integration as a political process is driven by few elites, while the people are left out. The people are not engaging in debate about African integration.

Mr. Ato Girma Zewdi, Head of Africa-Arab Cooperation: here, the interview focused on intra- regional integration. He said: integration is more of competition than complimentary relationship which brings about fear of domination of infant industries in small economies by big ones coming from stronger economy. For regional economic integration to succeed, I think there should be clarity on comparative advantage on the integrating economies so that unequal integration which is bad can be avoided. Importantly also, people should be allowed to move freely, they know how to integrate. The absence of peoples' movement is principally why we are not making good progress on continental integration.

Philibert Magere, East African Community Liaison Officer to the African Union: He said, there are some problems with integration, though we are often given free visa by countries in Africa to be visited with little problems, but that is not the case on the popular side. I'm positive on integration in Africa looking at some progress with ECOWAS and SADC, even though there are some problems. One other problem is that the AUC is full of bureaucracy, where member states often meet and disperse without much of practice.

Also important on the institutional dysfunction with the AU Commission is the case of Pan African Parliament (PAP) members. Members of the parliament are supposed to be elected through a continental election as enshrined in the protocol of PAP membership, but currently they are strictly government appointees. Thus, the AU has remained essentially, intergovernmental not inclined towards true integration path that is popular driven.

4.6 The RECs as building blocks: Situational Analysis

Table 4.6.1: STATUS OF CONTINENTAL INTEGRATION AT THE REGIONAL ECONOMIC COMMUNITIES (RECs)

Stages of the Abuja Treaty	Stage one: 1994-1999	Stage two: 2000- 2007		Stage three: 2008-2017		Stage four: 2018-2019	Stage five: 2020-2023	Stage six: 2024-2028 latest 2034
RECs	Strengthening existing RECs or creation of new one where they do not exist	Coordination and harmonization of activities	Gradual elimination of tariff and non tariff barriers or	Free Trade Area	Customs Union	Continental Customs Union	Establishment of an African Common Market	Monetary and Economic Union
IGAD	-do-	-do-	study in progress	In progress	Not yet	This stage will be achieved when all RECs have achieved Customs Union and harmonized their respective CET, with a view of creating one single continental CET.	This stage will be achieved when all RECs have achieved continental customs union as well as free movement of labour and capital.	This stage will be achieved when all RECs have achieved African Common Market at which time there will be a common currency, issued by the African Central Bank.
SADC	-do-	-do-	-do-	-do-	-do-			
CENSAD	-do-	-do-	-do-	In progress	Not yet			
ECOWAS	-do-	-do-	-do-	-do-	2015			
COMESA	-do-	-do-	-do-	-do-	-do-			
ECCAS	-do-	-do-	-do-	-do-	-do-			
EAC	-do-	-do-	-do-	-do-	-do-			
AMU	-do-	Not yet	Not yet	Not yet	Not yet			

Source: Field work 2011

4.6.1 Common Market for East and Southern Africa (COMESA)

The Common Market for Eastern and Southern Africa was founded in 1993 as a successor to the Preferential Trade Area for Eastern and Southern Africa (PTA), which was established in 1981. COMESA formally succeeded the PTA on 8 December 1994 upon ratification of the Treaty. The establishment of COMESA was a fulfillment of the requirements of the PTA Treaty, which provided for the transformation of the PTA into a common market ten years after the entry into force of the PTA Treaty. The vision of COMESA is to be a fully integrated economic community for prosperity, internationally competitive, ready to merge into the African Union. COMESA Member States comprised of Burundi, Comoros, Democratic Republic of Congo, Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Libya, Madagascar, Malawi, Mauritius, Rwanda, Seychelles, Sudan, Swaziland, Uganda, Zambia, Zimbabwe and South Sudan as the 20th member state.

Some achievements of COMESA

COMESA is implementing its customs union, which is an added milestone to its other integration achievements. After the launch of the tripartite arrangement of COMESA/EAC/SADC in October 2008, it is expected, however, that the next few years (2013) to be specific will see that COMESA works with its two sister RECs to establish a larger FTA and work towards convergence of the customs union covering 26 AU states. COMESA is also intending to harmonize monetary, financial and fiscal policies by 2014; have monetary union by 2018; and achieve a single trade and investment space in which tariffs, NTBs (Non-Trade Barriers) and other impediments to the movement of goods, services, capital and people have been totally removed by 2025. In the coming years, COMESA also plans to harmonize its regional agenda with those of its sister RECs (SIA 2011).

Challenges of COMESA

Most if not all are challenges that apply to the Africa integration in general and among these are high production costs, poor technological developments, poor networking within the region, supply constraints, poor infrastructural development, low foreign direct investment, lack of policy harmonisation, overlapping membership, human capacity and poor mobilisation of resources. Specific challenges arising from COMESA program implementation include; a) accession of all Member States to the FTA prior to the launch of the COMESA Customs Union; b) finalization of the regional framework on trade in services) full implementation of the COMESA trade and transit transport facilitation instruments so as to enhance movement of transit and cross-border traffic.

There is also a need to establish a seamless rail transportation system in the COMESA sub region; d) establishment of the Joint Competition Authority in order to implement the Joint Air

Transport Competition Regulations by the responsible Ministers of COMESA, Southern African Development Community (SADC) and East African Community (EAC); and e) acceleration to establish a COMESA Monetary Institute, which would undertake necessary preparatory work leading to the creation of a COMESA Monetary Union in the zone. In this case, COMESA Clearing House needs to accelerate the establishment of the Regional Payment and Settlement System (REPS) in order to become operational. f. Signature and ratification of the Protocol of free movement of Persons labour, services, and the right to settlement by at least seven Member States so that it can become effective. Since the adoption of the protocol by Heads of State and Government in May 2001, only few Countries signed it. g. Implementation of the Joint COMESA, EAC, and SADC Tripartite Summit decisions in respect to harmonisation of Projects and Programs of the three RECs.

4.6.2 East African Community (EAC)

The East African Community (EAC) is the regional intergovernmental organization of the Republics of Burundi, Kenya, Rwanda, Uganda and the United Republic of Tanzania with its Headquarters in Arusha, Tanzania. The Treaty for Establishment of the East African Community was signed on 30th November 1999 and entered into force on 7th July 2000 following its ratification by the Original 3 Partner States – Kenya, Uganda and Tanzania. The Republic of Rwanda and the Republic of Burundi acceded to the EAC Treaty on 18th June 2007 and became full Members of the Community with effect from 1st July 2007. East Africa is credited with one of the longest experiences in regional integration. As early as 1900, Kenya and Uganda operated a Customs Union, which was later joined by Tanzania, then Tanganyika, in 1922. More elaborate regional integration arrangements in East Africa have included the establishment of the East

African High Commission (1948-1961), the East African Common Services Organization (1961-1967) and the former East African Community which lasted from 1967 to 1977.

The collapse of the former East African Community in 1977 dealt a major blow to the East African region and was widely regretted, particularly so since the former Community had made great strides and was considered the world's model of successful regional integration and development. At its height, the East African Community was, in all but name, a federal government. The former Community operated the common services of over thirty institutions, including the four major corporations - East African Railways, East African Harbours, East African Posts and Telecommunications and the East African Airways besides a formidable array of joint research institutions. Many reasons have been cited for the collapse of the Community, among them structural problems which impinged on the management of the common services; inadequate involvement of the people in the decision-making processes; lack of compensatory mechanisms for addressing inequalities in the sharing of the costs and benefits of integration; ideological differences, vested interests and lack of vision an integrationist on the part of some leaders. However, following that collapse, a process was engaged to mediate between the EAC countries to avoid a disastrous break up. With the Mediation Agreement of 1984 which ensued, the East African States, among other undertakings, agreed to explore ways to resume regional co-operation. This eventually led to a meeting of the Heads of State of the East African countries held in Harare, Zimbabwe in 1991 where they agreed to revive cooperation in the region. That decision culminated in the signing of the Agreement for the Establishment of a Permanent Tripartite Commission for East African Cooperation on 30th November 1993. Full operations of

the East African Co-operation started on 14 March 1996 when the Secretariat for the Permanent Tripartite Commission was established in Arusha (Wikipedia retrieved 2011)

The first Secretary General of the East African Community, Ambassador Francis Muthaura of Kenya was appointed in March 1996 for a 5 year term and oversaw the development of the 1st and the 2nd EAC Development Strategies. The 1st Development Strategy focused on the development of the policy framework for regional co-operation, while the 2nd laid out the roadmap for deeper integration. Its implementation culminated into the signing of the Treaty for the Establishment of the East African Community on 30th November 1999.

The second Secretary General of the East African Community, Hon Amania Mushega of Uganda, was appointed on 24th April 2001. His immediate task was to implement the 2nd EAC Development Strategy covering a broad range of areas of co-operation, including the implementation of prioritized regional projects and programs, institutional development and, most significantly, the establishment of the Customs Union in January 2005.

The third Secretary General of the East African Community, Amb. Juma Volter Mwapachu of Tanzania was appointed on 2nd April 2006. The Development Strategy aimed at the consolidation of the Customs Union, establishment of the East African Common Market, deepening infrastructure development, industrialization, promoting East African agricultural and rural development programs and the Lake Victoria Basin Development Program. The 4th Secretary General, Ambassador Dr. Richard Sezibera, who was appointed on 19th April 2011, has underscored the realization of a single Customs territory, making the Common Market work, negotiating and launching the EAC Monetary Union, infrastructure development and industrialization as the key priorities for his term. As the Community embarks on the

development of the 4th EAC Development Strategy, focus is also put on developing a sustainable financing of regional infrastructure and other critical development projects and programs.

The regional integration process reached a high pitch in 2007 with the enlargement of the Community following the admission of Rwanda and Burundi. There has also been encouraging progress in the operationalisation of East African Common Market which was launched in July 2010, along with other processes towards East African Federation. All underscores the serious determination of the East African leadership and citizens to construct a powerful and sustainable East African economic and political bloc. The realization of a large regional economic bloc encompassing Burundi, Kenya, Rwanda, Tanzania and Uganda with a combined population of over 120 million, land area of approximately 1.85 million sq kilometres and a combined gross domestic product of over \$ 41 billion, bears great strategic and geopolitical significance and prospects of a renewed and reinvigorated East African Community (ARIA 2010).

Objectives of the EAC

The EAC aims at widening and deepening co-operation of the Partner States in, among others spheres- political, economic and social fields for their mutual benefit. According to the EAC Treaty, the vision of the Community is to be realized in an incremental progression through the stages of a Customs Union; a Common Market; a Monetary Union; and ultimately a Political Federation. To this extent the EAC countries established a Customs Union in 2005, which became fully operational on January 1st 2010, launched the EAC Common Market on 1st July 2010, and the region has established a Monetary Union in 2012 and thereafter a Political

Federation of the East African States which is yet to be attained. Therefore, the main goal of the East African Community, as an economic and political entity, stems from the desire by the governments of the EAC countries to improve the standard of living of the population through increased competitiveness, value-added production, trade and investment. This is aimed at promoting the sustainable development of the region with a view to creating a prosperous, internationally competitive, secure, and stable and politically united region. The five EAC Partner States are keenly aware that by pooling their resources and potential, they are in a better position to realize and sustain common development goals more easily than by national efforts alone. The justifications for many regional integration arrangements are mainly economic. In the case of East Africa however, the common history, language, culture and strong inter-personal ties invoke a deep-rooted and longstanding commitment by the Partner States to deepen co-operation in a broad range of political, economic, social and cultural schemes.

Achievement of AEC

Substantive progress made by the East African Community (EAC) since it came back to operations in 1996 centers on a stronger foundation for achieving its mission of regional integration and development. It made the East African currency convertible in 1997 and fully operationalised its customs union in January 2010, and launched its common market in July 2010. With a monetary union in 2012 the EAC is preparing to establish a political federation which continues in earnest, although it will require more resources and firm commitment from the partner states.

It is expected that the legislative process to create free movement may take up to five years for each of the countries to enact fully with effect from 2011. Kenya, Rwanda and Burundi have already agreed to waive work permit fees for EAC citizens. The Common Market is seen as a

step towards implementation of a common currency and full political federation. Consultations on a Monetary Union commenced in 2009. The EAC regional economic bloc encompasses a combined population of more than 125 million people, with land area of 1.82 million sq kilometers and in 2009 the combined Gross Domestic Product stood at \$73 billion (SIA 2011). The main organs of the East African Community are the Summit of Heads of State, the Council of Ministers, the Co-ordination Committee, the East African Court of Justice, the East African Legislative Assembly, and the Secretariat.

Challenges of EAC

The effectiveness and sustainability of EAC depends on resolute political will and greater involvement of the people in awareness and participation in the integration and development process; maintenance of peace and security, including good governance; active promotion of a science-based entrepreneurial culture; development of indigenous capacity for investment, including human resource capacity; and development of good and principled relations with other African Regional Economic Communities and the international community at large within a competitive world economic system. A critical look at the current status of the EAC activities, mapping out future direction of the Community, prioritizing regional programs and activities and, on the whole, putting the EAC integration process on a rapid flight path to progress constitutes the key challenges (SIA 2009).

4.6.3 Economic Community of Central African States (ECCAS)

ECCAS is composed of ten central African states: Angola, Burundi, Cameroon, Central African Republic (CAR), Chad, Democratic Republic of Congo (DRC), Republic of Congo, Equatorial Guinea, Gabon and Sao Tome and Principe. Rwanda, one of the founding Member States, quit ECCAS in June 2007 in favor of the East African Community (EAC). The DRC, on the other

hand, is embracing membership of both ECCAS and the Southern African Development Community (SADC). Withdrawals and divided loyalties pose a significant threat to the viability of ECCAS. ECCAS was created in 1983 when the Customs and Economic Union of Central Africa (Union Douanière des Etats de l'Afrique Centrale- UDEAC) urged its Member States to widen the trading area. When the treaty establishing ECCAS was signed in Libreville on 18 October 1983 by UDEAC Member States (Cameroon, Central African Republic (CAR), Chad, Congo, Equatorial Guinea and Gabon) and the members of the Economic Community of the Great Lakes States –CEPGL (Burundi, DRC and Rwanda), a formidable trading bloc emerged. ECCAS subsequently became operational in 1985 but soon found it handicapped by conflicts in the region and by the failure of the members to pay their dues. It was during this period that the organization woke up to the need to go beyond economic issues and incorporate efforts towards peace and security into its wider operations.

In February 1999, ECCAS Member States created the Council for Peace and Security in Central Africa (COPAX) with the aim of promoting, maintaining and consolidating peace and security in Central Africa. COPAX entered into force in January 2004. With a sustained population growth rate of 2.7 percent per year, the region is expected to reach 164 million people in 2015. In 2002, more than 80 percent of the working population was employed in agricultural and informal sectors, with very low work productivity (SIA 2011).

The Economic Community of Central African States (ECCAS) began as the Customs and Economic Union of Central Africa (CEUCA- UDEAC in French Acronym) originally established by the Brazzaville Treaty in 1966. In December 1981, the leaders of UDEAC agreed to form a wider economic community of Central African states. The new ECCAS was

established on 18 October 1983 with São Tomé and Príncipe, Democratic Republic of Congo, Burundi and Rwanda as member states and Angola as an observer until 1999, when it became a full member. The Brazzaville Treaty of 1966 had also established a free trade area between members. UDEAC also signed a treaty for the establishment of an Economic and Monetary Community of Central Africa (CEMAC).

The monetary union was to promote sub regional integration. The Central Africa CFA franc was to act as a common currency. UDEAC was officially superseded by CEMAC in June 1999 (through an agreement signed in 1994). To date, CEMAC has not achieved its objective of creating a customs union. CEMAC and ECCAS are expected to integrate into one organization as CEMAC is now seen as an institution of ECCAS. ECCAS began functioning in 1985, but was inactive for several years due to financial difficulties and conflict in the Great Lakes region which proved divisive to its member states. ECCAS became active again in 1998 following a Summit of the Heads of State and Government.

The 10th Ordinary Session of Heads of State and Government took place in Malabo in June 2002. This Summit adopted a protocol on the establishment of a Network of Parliamentarians of Central Africa (REPAC) and the standing orders of the Council for Peace and Security in Central Africa (COPAX), including the Defense and Security Commission (CDC), Multinational Force of Central Africa (FOMAC) and the Early Warning Mechanism of Central Africa (MARAC). In that summit Rwanda was also officially welcomed upon its return as a full member of ECCAS (SIA 2011).

Objectives of ECCAS

ECCAS aims to achieve collective autonomy, raise the standard of living of its populations and maintain economic stability through harmonious cooperation. Its ultimate goal is to establish a Central African Common Market. At the Malabo Heads of State and Government Conference in 1999, four priority fields for the organization were identified:

1. To develop capacities to maintain peace, security and stability, which are essential prerequisites for economic and social development;
2. To develop physical, economic and monetary integration;
3. To develop a culture of human integration; and
4. To establish an autonomous financing mechanism for ECCAS.

Achievements of ECCAS

ECCAS member countries defined three priority areas, namely: peace and security, infrastructure, energy, water and ICTs and the environment and natural resources. ECCAS in this regard has made certain progress on development of a security institution. For example, on 28 May 1992, the Secretary-General of the UN established the United Nations Standing Advisory Committee on Security Questions in Central Africa and designated the then Centre for Disarmament Affairs in the Department for Political Affairs to serve as the Secretariat of the Committee. The Committee's major goal is to promote peace, security and stability in the central African region through preventive diplomacy, peace-building, peacemaking and peace-keeping, which includes the training of military and security personnel of Member States in the areas of good governance and peace operations. ECCAS achieved in completing the first stage in strengthening existing REC and creation of new RECs where they do not exist. It has also

adopted a trade liberalization scheme; the free trade area, which has been launched in 2004 (ARIA 2010).

Challenges of ECCAS

All member states of ECCAS, except Cameroon, Gabon and Sao Tome and Principe, and to some extent Equatorial Guinea, have been theatres of violent internal and sometimes external armed conflicts. Since its establishment, the Committee has been involved in developing and promoting measures in the field of preventive diplomacy, peacemaking and peace building. In the framework of the Multinational Force in the Central African Republic (FOMAC), a regional peacekeeping brigade was formed and the regional headquarters was established in Libreville. Also in addition, national observation units of the Rapid Warning Mechanism of Central Africa (RWMCA) were established with little success to manage and minimize conflicts in the community which remains unabated.

ECCAS, like other Regional Economic Communities is facing some challenges which among others, are the need to speed up its harmonization on common external tariff, with a view to achieving ECCAS Member States plan for gradual scrapping of tariff fees on intra-community trade known as the ECCAS Preferential Tariff. The time frame for the planned reduction of tariff fees is as follows: for traditional handicraft and local products (other than mineral products), 100 percent reduction from 1st July 2004, for the mineral and manufactured products the origin status, 50 percent from 1st July 2004, 70 percent in January 2005, 90 percent in January 2006, and 100 percent in January 2007 which has not been achieved in 2011. There is no free movement between some member countries. Some countries require a visa to enter their territories. These countries evoke security as main reason for delay in implementing decisions

taken at the regional level. The lack of political will to solve the problem of free movement of persons is also another reason for the delay in implementing the protocol. In the short term, there is no action planned to make movement of people in the region more fluid and free. Instruments on the establishment of free movement are already in place. All that needs to be done now is to implement what has been agreed upon.

The implementation of various protocols aimed at facilitating movement of goods, services and capital is hindered mainly by lack of stability and the lack or absence of infrastructure linking the countries in the ECCAS region. The timing of the implementation of agreements in the presence and the harmonization of national laws remains a challenge. The provision under the Community preference is still the domain of the project. ECCAS, CEMAC, CEPGL and Portuguese-speaking countries need to work on coordination mechanisms as the pattern of concentric circles and ECCAS should be the implementation of synergies created or strengthened. ECCAS which was supposed to launch customs Union in the year 2008, could not do so due to political and financial reasons within its region. Member States instead tend to focus more on security matters which although is a priority area, it could have been addressed in line with the accelerating of launching customs union which would ensure and facilitate Regional as well as Continental Integration. Moreover, the low development level of transport infrastructure and services in all modes alongside lack of complementarities in the economics of trade, exacerbated absence of networks of integration; the weakness of production facilities in the sector of industry, mining production and electricity. The vast potentialities of the region are generally under exploited; and the complete lack of integrated financial market at ECCAS.

Economic Community of Central African States (ECCAS) is yet to secure free movement of people. Some countries in the sub-region require a visa for entry in to member states. Security

issues are cited as major factors for delays in pushing through decisions taken at regional level. Instruments are already in place—all that needs to be done is to implement earlier agreements. ECCAS launched a FTA in 2004 though; inactive but the planned launching of its customs union in 2008 was delayed. It is now proposed to start during 2012/2013 (ARIA 2010).

4.6.4 Economic Community of West African States (ECOWAS)

The Economic Community of West African States (ECOWAS) is a regional group of fifteen countries that was founded by treaty in May 1975. It was conceived as a means toward economic integration and development intended to lead to the eventual establishment of an economic union in West Africa, enhancing economic stability and enhancing relations between Member States. The members namely Benin, Burkina Faso, Cape Verde, Côte d'Ivoire, Gambia, Ghana, Guinea-Bissau, Liberia, Mali, Nigeria, Senegal, Sierra Leone and Togo. Two members, Guinea and Niger have had their memberships suspended following the 2008 and 2009 coup d'états in those countries respectively, but are now back since democracy is restored. ECOWAS was precisely founded on May 28, 1975, with the signing of the Treaty of Lagos. In 1976 Cape Verde joined ECOWAS, and in December 2000 Mauritania withdrew. The treaty was revised in Cotonou on July 24, 1993. The ECOWAS Commission, The ECOWAS Community Parliament, and The ECOWAS Community Court of Justice are the main institutions that implement policy in the region. The ECOWAS Fund became the ECOWAS Bank for Investment and Development in 2001 and is responsible for enhancing growth by financing programs and projects of ECOWAS. ECOWAS member states signed a non-aggression protocol in 1990 and a Protocol on Mutual Defense Assistance, in Freetown, Sierra Leone, on May 29, 1981, that provided for the establishment of an Allied Armed Force of the Community called the Economic Community of West African States Monitoring Group (ECOMOG). ECOMOG is multilateral armed force

established by a formal arrangement for separate armies to work together. Its backbone was Nigerian armed forces and financial resources, with sub-battalion strength units contributed by Ghana, Guinea, Sierra Leone, Gambia, Liberia, Mali, Burkina Faso, Niger, and others. Its most successful deployments were in Sierra Leone where it helped to end a 10 year old civil war. ECOMOG soldiers were also deployed in Liberia and Guinea to help end the conflicts in those countries.

The ECOWAS Community Court of Justice was created by a protocol signed in 1991. The protocol entered into force on 5 November 1996. The jurisdiction of the Community Court of Justice includes ruling on disputes between states over interpretations of the Revised Treaty and providing the ECOWAS Council with advisory opinions on legal issues. It also has jurisdiction over gross human rights breaches. The current President of the ECOWAS Commission is his Excellency Ambassador Kadre Desire Ouedraogo. The Headquarters of the Commission is in Abuja, Nigeria.

The Economic Community of West African States (ECOWAS) has the objectives to promote cooperation and integration in economic, social and cultural activity and is ultimately leading to an economic and monetary union through completely integrating its member states' national economies, raising living standards and enhancing economic stability. Another achievement was the launch of the Regional Poverty Reduction Strategy Paper on 11 January 2010 in Accra. This was followed by a workshop in Abuja to review the implementation plan and discuss institutional arrangements for implementation as well as monitoring and evaluation. In the financial arena, ECOWAS has established a Bank for Investment and Development (an off-shoot of the ECOWAS Fund). The bank's objective is to finance and promote economic growth and

development within ECOWAS. It offers a range of financial products and services to businesses. Six of the Anglophone members—Gambia, Ghana, Guinea, Liberia, Nigeria and Sierra Leone—are setting up a second West African Monetary Zone (WAMZ) as part of the efforts towards an eventual monetary union in the ECOWAS region. On free trade area, ECOWAS has emphasized three steps. First, it is establishing a FTA through the ECOWAS Trade Liberalization Scheme. Second, it is setting up a common external tariff, and has made large strides since it formally adopted the ECOWAS common external tariff structure in January 2006, and created the ECOWAS-UEMOA Committee (for concluding the project). Third, the ECOWAS Council of Ministers has directed the Commission to take every necessary action to assist those member states which are yet to adopt a value-added tax (VAT).

On the free movement of people, member states adopted in Dakar, Senegal on 29 May 1979, the Protocol on Free Movement of Persons, Residence and Establishment which guarantees to the nationals of ECOWAS member states, among other things, the right to enter, reside and establish economic activities in the territory of member states. There is good progress in the implementation of this protocol, particularly in the area of free movement of people across borders without visa restrictions. It is on record that ECOWAS has implemented supra-national governance in security management in conflict ridden member states of Liberia and Sierra Leone, and for democratic rule (good governance) in Niger whose inspiration is from AU and ECOWAS resolutions.

The ECOWAS region experienced positive developments in its economic activities. Its GDP increased from \$216 billion in 2006 to 261.7 billion in \$2007. However, as a result of the triple

tragedy (oil, food and financial crisis) facing the global economy, the actual GDP growth rate was 4.4% in 2009, compared to 4.7% in 2008 and 5.6% in 2007. According to April 2010 estimates from the International Monetary Fund (IMF), the growth rate of world GDP is expected to be 4.2% in 2010. Growth in real GDP for Africa is expected to reach 4.7% in 2010, compared to 2.1% in 2009 (SIA 2011).

Conscious of the need for structural reforms for mitigating the adverse effects of the global economic crisis, the 37th Ordinary Session of the Authority of Heads of State and Government of 16th February 2010 in Abuja urged Member States to take necessary measures, not only to strengthen structural, economic and financial reforms, but also to continue the liberalization of their economies and promotion of the Private Sector. It also charged the ECOWAS Commission to intensify efforts for the realization of a common market through primarily the implementation of priority integration projects. The Heads of State and Government reaffirmed their commitment to further the integration process in West Africa. This commitment aims at concretely translating the objectives of the ECOWAS 2020 Vision adopted in Abuja on 15 June 2007 through developing integration projects, these are: i, the negotiations of the Economic Partnership Agreement (EPA), establishing an ECOWAS common market and developing infrastructure; ii Implementing programs related to agriculture and the environment, in particular, acceleration of the creation of the regional fund as well as organising round tables in each Member State; iii Continuing efforts in the area of stabilising the macroeconomic framework, business environment and the formulation of a long-term regional development program; iv the consolidation of peace and security in the region, and v continuing institutional reforms.

To achieve these objectives, the Commission, in its 2010 Work Program, focused action around six priority areas namely: i Establishment of the Customs Union in order to make the functioning of the Free Trade Zone effective by the establishment of the Common External Tariff, removal of obstacles to the free movement of persons and goods and the elimination of non-tariff barriers; ii Economic Partnership Agreement (EPA): conclude negotiations on the EPA with a view to signing a regional agreement which is fair, balanced and development centered with the European Union; iii Regional Infrastructure: boost the implementation of programs adopted in the framework of the transport development and resolve energy crises; iv Agricultural and Environmental Policy. Conclude the preparation of national agricultural investment programs and ensure effective follow-up on the conclusions of the international Conference on the funding of the Regional Agricultural Policy; v Peace and Security: promote dialogue and preventive diplomacy and play a leadership role in enhancing the democratization process in West Africa; and vi Institutional issues- to continue the restructuring of Community Institutions (SIA 2011).

ECOWAS achievements

Finance

For the smooth running of the financial and services transactions, ECOWAS has developed a Bank for Investment and Development (EBID), which took over from the ECOWAS Fund. EBID is the principal financial institution established in 1999 by Member States of the Economic Community of West African states. It is a banking group comprising a holding company EBID and two specialized subsidiaries, ECOWAS Regional Development Fund (ERDF) and ECOWAS Regional Investment Bank (ERIB). EBID's objective is to finance, promote and facilitate economic growth and development within the ECOWAS Member States. EBID offers a range of financial products and services to business seeking to get involved in viable commercial projects.

ECOWAS has also specialized financial agencies which include the following: West African Monetary Agency (WAMA) The West African Monetary Agency came in the wake of transforming the West African Clearing House (WACH), which was established in 1975 as a multilateral payment facility to improve sub-regional trade in West Africa. It has now been transformed into a broad based autonomous agency called the West African Monetary Agency (WAMA) with a mandate to ensure the monitoring, coordination and implementation of the ECOWAS monetary cooperation program, encourage and promote the application of market determined exchange rate for intra-regional trade, initiate policies and programs on monetary and economic integration, especially in the area of payment systems development and research, and ensure the establishment of a single monetary zone in West Africa. In 1994, ECOWAS' Francophone members, namely Benin, Burkina Faso, Côte d' Ivoire, Mali, Niger, Senegal and

Togo, with Guinea Bissau, created the West African Monetary Union (UEMOA) in Senegal; UEMOA is a regional economic and monetary union which shares a common currency the CFA Franc. Due to the slow progress in implementing the fast track approach to realizing the ECOWAS common currency, the ECOWAS Authority at its summit of June 2007 mandated the ECOWAS Commission to collaborate with other regional institutions to review the current strategy with a view to recommending a single and accelerated approach to achieving the regional common currency.

Health

The West African Health Organization (WAHO) is a proactive instrument of regional health integration, which enables higher impact and cost-effective interventions by (programs) of maintaining long-term partnerships, Sustainable Capacities Building; Dissemination /Interpreting Information; Cooperation, Coordination and Advocacy; and exploiting Information and Communication Technologies (ICT's). Currently, WAHO's current activities are; preparedness for responses to epidemics of meningitis, measles, cholera and yellow fever; support to country prevention of blindness programs; support to the creation of networks of National Health Information Systems and Research Centers and Institutes of ECOWAS; young Professionals' Training with a view to their insertion; support to Research Centers by allocating funds for operational research, etc and Organization of Nutrition Focal Points.

Transportation

The principal activity in the Road Transport is the implementation of regional road transport and transit facilitation programs via corridor approach. The programs are funded by the World Bank,

the European Union and the African Development Bank. For the Lagos-Abidjan corridor which carries about 70% of the entire regional transit traffic, the ECOWAS Commission completed three vital studies financed by the World Bank. The studies aim at improving Customs information sharing and Customs procedures at the main ports in the Member States along the Abidjan-Lagos Corridor through real-time information, modernization of their interconnectivity and the institution of single windows (paperless clearance of customs documentation) in the main ports. The ECOWAS Commission received from the European Union a Grant in sum of €63.8 million towards the implementation of transport and transit facilitation program. The key element of the program is the construction of five joint border posts along the major corridors. Detailed engineering designs for five border posts have been completed by the appointed consulting firm and validated by the Steering Committee drawn from the Member States concerned. Tender for construction of the works has been advertised and contract for the construction of the works is expected to be issued by November 2010 (SIA 2011).

It is envisaged that the successful contractors will mobilise at the site of the works by December 2010. Within the framework of the Memorandum of Understanding (MoU) on Nigeria-Cameroon Multinational Highway and Transport Facilitation Project signed between the African Development Bank (AfDB), the ECOWAS Commission, the Federal Republic of Nigeria and the Republic of Cameroon, the ECOWAS Commission benefited from AfDB Grant. The Facilitation Project includes studies on transport facilitation, design and construction of a joint border post and installation of equipment (e.g. weighbridge, scanners, computers etc), design and construction of a bridge over the Cross River, construction supervision of works and capacity strengthening. The Commission is in the process of selecting reputable consulting firms to undertake the various aspects of the services. In the Railways sub-sector, the study on the

feasibility of interconnection of National Railway networks through priority links was completed and validated in February 2008. Detailed Engineering studies of the highest ranking link (i.e., the Kaya-Dory-Niamey link connecting the Abidjan-Ouagadougou railway line to the Republic of Niger) will be undertaken with funding from the European Union. In addition, the ECOWAS Commission has prepared a Project Information Memorandum on all the 17 links as well as for the reconstruction and rehabilitation of National Railway systems. In Air Transport sub-sector, the objective of the Air Transport sub-sector has been to harmonize air transport economic, safety and security regulations in West and Central Africa, strengthen the autonomy of civil aviation authorities, and facilitate the operations and cooperation of West African airlines and improvement of aviation safety and security within the region. ECOWAS has been assisting Member States to provide a safe and reliable air transport system linking the Member States as well as exploring means of ensuring equitable access of eligible airlines to the West African air transport market.

Energy

Access to sustainable and affordable energy supply is the main priority for the Community's Energy Program. The ECOWAS Commission has anchored this thrust on the promotion of long-term cooperation in the effective development of regional energy resources and harmonized national energy sector development policies. As a result, the ECOWAS Energy Program has crafted coherent projects, from source to sink of the energy value chain, as follows: (i) the West African Gas Pipeline (WAGP), (ii) the West African Power Pool (WAPP) and (iii) the ECOWAS Regional Policy on Energy Access.

The West African Gas Pipeline (WAGP) is a 678-kilometer long pipeline from the gas reserves in Nigeria's Escravos region of Niger Delta area to Benin, Togo and Ghana. The project began in 1982 when the Economic Community of West African States (ECOWAS) proposed the development of a natural gas pipeline throughout West Africa. In the early 1990's, a feasibility report deemed that a project was commercially viable. In September 1995, the governments of four African countries (Nigeria, Benin, Togo and Ghana) signed a Heads of Agreement (HOA). The feasibility study was carried out in 1999 and on the 11 August 1999, participating countries in Cotonou signed a Memorandum of Understanding. In February 2000, an Inter-Governmental Agreement was signed. The WAGP implementation agreement was signed in 2003. The construction started in 2005 and the Project has been fully completed with about 70% of the on-shore installations in situ. Measures have also been taken to by-pass the Lagos Beach Compression Station in the meantime and that the pipeline is now ready for the free flow of gas. A feasibility study is underway for the extension of the project to Côte d'Ivoire and the oil and gas discovery in Ghana adds further impetus to the project (SIA 2011).

The offshore activities, including the laying of the pipeline have been completed. Another important step for the development of the gas sector was undertaken in 2008 by forging a technical cooperation with the Government of Trinidad and Tobago in the oil and gas sector. Phase 1 of the project was completed during the first quarter of 2009 which allowed the free flow of gas from Nigeria to Takoradi, in Ghana. This phase involved only the building of the pipeline link between Escravos and Ghana and the installation of the start-up station. However, the amount of gas transported by the pipeline cannot meet the quota needed to generate enough

electricity to compensate regional shortfall. All stakeholders are involved in the effort to complete the construction of compression stations.

HIV/AIDS prevention

ECOWAS Commission has taken steps towards prevention and mitigation of the effects of HIV/AIDS on the infected people by initiating various programs and approaches of Member States to address the HIV/AIDS pandemic. The ECOWAS Commission in collaboration with the UNESCO, the World Bank, UNICEF and UNAIDS has identified focal points within the ministries of education of the region and assigned them the responsibility of developing more effective regional and national education sector responses to HIV/AIDS and in this regard, a conference of these focal points was held at the ECOWAS Commission in September 2008. The conference discussed and adopted among other issues- National Education Policies, integration of HIV/AIDS into school curricular, capacity building of teachers in pre-service and in-service programs and procedures for monitoring and evaluation of the HIV/AIDS challenges (SIA 2011).

Challenges of ECOWAS

ECOWAS is confronted by many challenges on its path to regional integration. Amongst others are insecurity, non-implementation of protocols by some members and barriers to trade. This was a consequence of the almost unending spate of civil conflicts seen in the region. Economic cooperation and integration would be difficult to pursue, without peace and stability in the sub-region. However conflicts cannot be seen as an acceptable reason for ECOWAS' shortcomings in integrating the economies of its Member States. Even before 1989, implementation of

ECOWAS agreements especially with regards to trade has been slow and ad-hoc and in any case, only a minority of member countries experience major conflicts at given times.

There have been certain factors hindering trade in the sub-region. For most cross-border traders in West Africa, the common complaint has been the high costs of doing so as a result of obstacles often put in their way by state employees. By going through ECOWAS provisions, such barriers should have disappeared. In May 1982, ECOWAS Member States signed a convention for the establishment of an ECOWAS Interstate Road Transit System (ISRT), which set the framework within which Member States would work to ensure free movement of goods in the sub-region. Due to the non-implementation of the modalities of the ISRT, Member States signed a supplementary convention in May 1990 to set up a guarantee mechanism for ISRT. This had an additional value that if any member state contravenes the terms, the member could possibly face repercussions.

In spite of the signing cross border traders in the sub-region continue to complain of how state employees deliberately violate such provisions. A large number of trade in the sub-region are on small scale or informal and are often sustained by differences in prices in individual countries. In the past, such activities were viewed as smuggling and such perceptions clearly linger on and influence the treatment of these traders by security agencies. The implementation of the treaty on free movement of persons faces a number of problems on the ground, namely road harassment, the high number of roadblocks and illegal barriers and the problem of insecurity on the roads. Most of the roads are concentrated in the coastal areas with a coverage from 15 to 100 km, while the Sahel regions lag behind due of the expansive desert areas, notably in Mali and Niger: the rate of coverage is about 1,02 against a minimal normal of 20 to 25 km per 100 km. The railway network within the States are still heterogeneous with varied metric spacing, not really

interconnected to facilitate transport between the main cities and capitals of the region. As for the water transport, it remains limited.

A smoother flow of goods in the sub-region would doubtlessly make a significant contribution to the West African economy. However, the point that economies in the sub-region are not sufficiently diversified is important especially if the region is to make the dramatic progress on complementarities. Despite the disappointing results with intra-ECOWAS trade, work is going on to remove infrastructure bottlenecks in economic integration. There are major projects for a highway network to connect existing networks in the areas of transport, communications and energy. ECOWAS also has through a Community telecommunications program reduce transits through countries outside Africa and improve direct links between Member States. ECOWAS has undertaken a study on the interconnection of railway networks. Among ECOWAS big projects, the road project appears to be making most progress with over 60 percent of project completed. Also in the works is the West African Gas Pipeline project, which will supply gas from Nigeria to Benin, Togo and Ghana. These are not strictly ECOWAS projects but what the Community has done is to fit these into its larger integration plans, thereby enhancing their strategic and economic importance.

Some of the ECOWAS projects when completed would surely bring benefits to the community's citizens, independent of some of the problems discussed above. However to get the full benefits of an integrated regional market, West African leaders would have to show more commitment to removing unnecessary and often illegal obstacles placed in the way of economic operators in the sub region. They would also need to consider seriously the chance that a larger market offers for industry in the sub-region. Ultimately, ECOWAS is expected to fit into the African Economic Community as envisaged by the Abuja Treaty. The aims of that Treaty fits

very much into those of ECOWAS, and ultimately for the integration of entire African continent. ECOWAS like the other regional trade bodies are behind schedule in meeting the goals of the Abuja treaty but with more focused commitment, significant and tangible progress can still be made in the short to medium term (SIA 2011).

4.6.5 Intergovernmental Authority on Development (IGAD)

IGAD is the successor of the Intergovernmental Authority on Drought and Development (IGADD). Established by an international agreement in 1986, IGADD as a sub-regional Organization had an initial membership of six drought afflicted member states of Djibouti, Ethiopia, Kenya, Somalia Sudan and Uganda. In 1993, its membership expanded by the admission of Eritrea as the 7th member. Between 1974 and 1984, severe droughts and other natural disasters hit the Eastern Africa region and caused widespread famine, ecological degradation and economic hardships. Although the individual countries made substantial efforts to cope with the situation and received generous support from the international community, the magnitude and extent of the problem argued strongly for a regional approach to supplement national efforts.

In 1983 and 1984, six countries in the Horn of Africa - Djibouti, Ethiopia, Kenya, Somalia, Sudan and Uganda - took action through the United Nations to establish an intergovernmental body to coordinate their development aspirations and mitigate drought effects in their region. Subsequently, the Assembly of Heads of State and Government sitting in Djibouti signed on 16 January 1986 the Agreement, which officially launched IGADD with its Headquarters in Djibouti. In April 1995 in Addis Ababa, the Assembly of Heads of State and Government made a Declaration to revitalize IGADD and expand cooperation among Member States. On 21 March 1996 in Nairobi, the Assembly of Heads of State and Government signed the 'Letter of

Instrument to Amend the IGADD Charter / Agreement” and establish a revitalized IGADD with the new name of “Intergovernmental Authority on Development (IGAD)”. The revitalized IGAD with expanded mandate, cover areas of regional cooperation and integration and a new organizational structure was launched by the IGAD Assembly of Heads of State and Government on 25 November 1996 in Djibouti, the Republic of Djibouti. The expanded mandate and scope was to, among others:

- promote joint development strategies and harmonization of macroeconomic policies;
- harmonize trade, customs, and transport, communication and natural resource policies;
- harmonize production and marketing structures; and to
- create an enabling environment for foreign, cross-border and domestic investments.

In February 1998, IGAD signed the African Economic Community (AEC), the Protocol on Relations between AEC and Regional Economic Communities (RECs). The Republic of South Sudan joined IGAD in 2011 as the seventh member state (Field Notes 2011).

Objectives

The aims and objectives of IGAD are as follows:

- i Promote joint development strategies and gradually harmonize macro-economic policies and programs in the social, technological and scientific fields;
- ii Harmonize policies with regard to trade, customs, transport, communications, agriculture, and natural resources, and promote free movement of goods, services, and people within the region.
- iii Create an enabling environment for foreign, cross-border and domestic trade and investment;

iv Achieve regional food security and encourage and assist efforts of Member States to collectively combat drought and other natural and man-made disasters and their natural consequences;

v Initiate and promote programs and projects to achieve regional food security and sustainable development of natural resources and environment protection, and encourage and assist efforts of Member States to collectively combat drought and other natural and man-made disasters and their consequences;

vi Develop and improve a coordinated and complementary infrastructure, in the areas of transport, telecommunications and energy in the region;

vii Promote peace and stability in the region and create mechanisms within the region for the prevention, management and resolution of inter-State and intra-State conflicts through dialogue;

viii Mobilize resources for the implementation of emergency, short term, medium-term and long-term programs within the framework of regional cooperation;

ix Promote and realize the objectives of the Common Market for Eastern and Southern Africa (COMESA) and the African Economic Community;

x Facilitate, promote and strengthen cooperation in research development and application in science and technology (SIA 2011).

Achievement of IGAD

On the IGAD's main objectives are food security and environmental protection; conflict prevention, management and resolution; and, economic cooperation and integration. To this effect, IGAD has made a number of successful inroads in implementing its mandate by

establishing effective and efficient mechanisms, networks, processes, specialized institutions and partnerships for the execution of its regional activities. To this end, IGAD has established specialized institutions including the Conflict Early Warning and Response Mechanism (CEWARN) in Addis Ababa, IGAD Business Forum in Asmara later revitalized and shifted to Kampala, the IGAD Climate Prediction and Application Centre for Monitoring and Forecasting (ICPAC) in Nairobi, IGAD Capacity Building Program against Terrorism (ICPAT) in Addis Ababa and IGAD Regional HIV/AIDS Partnership Program (IRAPP) in Kampala.

Also important, the Conflict Early Warning and Response Mechanism (CEWARN) is an IGAD institution which is designed to serve the region as a mechanism that systematically anticipates and responds to violent conflicts in a timely and effective manner. The establishment of CEWARN in 2000 followed from IGAD's revitalization in 1996 and the expansion of its mandate to cover Peace and Security as well as broader development issues. It was also based on IGAD's realization that timely intervention to prevent the escalation or to mitigate the worst effects of violent conflicts is more cost effective in terms of human and material resources than dealing with full-blown crises.

The Protocol establishing CEWARN was signed by the Council of Ministers of IGAD in January 2002 and entered into force in August 2003. The CEWARN office was officially opened in Addis in June 2003. CEWARN's vision is embodied in the tagline; stakeholders empowered to prevent violent conflicts. Accordingly, its mission is to establish itself as an effective and sustainable sub-regional mechanism that undertakes conflict Early Warning and Early Response and fosters cooperation among relevant stakeholders in order to respond to potential and actual violent conflicts in the region in a timely manner. Although the Horn of Africa is a region that is

ravaged by conflicts that range from intra-state and Inter-state to cross border community conflicts, CEWARN has adopted an incremental approach initially focusing exclusively on pastoralist conflicts – of both inter-communal and cross-border nature – before expanding to other types of conflicts in due course. Since its establishment, through its network of Field Monitors, Country Coordinators, National Research Institutes and Conflict Early Warning and Response Units (CEWERUs) at the national level, CEWARN has been monitoring and reporting on pastoralist conflicts in two pilot areas: the Somali cluster (that incorporates parts of Kenya, Ethiopia and Somalia) and the Kamaroja cluster (that incorporates parts of Ethiopia, Kenya, Sudan and Uganda). CEWARN has established itself as a sub-regional mechanism with the most developed data-based regional Early Warning System in Africa. It has developed an effective state-of-the-art field monitoring and data analysis tool. It has conducted capacity building for Conflict Prevention, Management and Resolution (CPMR) in the region through skill training of stakeholders at various levels. CEWARN has also managed to build confidence and collaboration amongst various stakeholders including governments, and CSOs.

Like any other young and learning institution, however, CEWARN recognizes existing gaps in its work such as the inadequate response component and the need to expand its information base and areas of reporting to cover all IGAD Member States and other kinds of conflicts. CEWARN developed a five-year strategy (2007-2011) to fill in these gaps so that it can undertake its role as an effective and sustainable sub-regional mechanism for Conflict Early Warning and Early Response. Consequently, various assessments have been conducted; monitoring areas increased and the mandate of the Early Warning mechanism is to be extended to cover all member countries (SIA 2011).

Challenges of IGAD

Due to insufficient agricultural technology, agriculture in the IGAD region still possesses a challenge. There is need for having an efficient mechanization scheme that would result into sufficient agricultural produce. Lack of low level of infrastructure, proper storage facilities for the produce is still a challenge that IGAD region needs to work on. In the short term, IGAD could develop some marketing skills by making sure that products produced are sold immediately. However there is need for putting storage facilities in place in order to have reliable mechanism in the region. IGAD is also facing a challenge due to lack of employment within the region. Rural people move to urban regions seeking employment opportunities. There is a need of extending education in the rural areas and create awareness campaign in order to encourage school education. Diseases, such as Malaria and HIV/AIDS have also posed a major challenge in the region with a declaration that addresses many pressing issues such as:

- Deepening regional integration;
- Aid for Trade and regional integration;
- Peace and Security;
- The Joint Africa-European Union Strategy (JAES). Status of Free movement of goods, services and capital
- This activity will be undertaken under the proposed IGAD Region Minimum Integration Plan/Free Trade Area Program. There is need for IGAD region to sort out inter-state conflict such as Ethiopia and Eritrea. Conflicts derail the growth of the economy and as such there is a need for IGAD together with the AU to speed up the peace initiatives in order for the development of the region. Since members of IGAD region also belongs to COMESA, there is need for coherence and avoiding of duplication, for the region to integrate. The programs that

COMESA is proceeding with should be parallel with IGAD region, and this would need both RECs to share their information and update themselves on the day-to-day activities .There is also absence of a legal instrument promoting people’s mobility in the IGAD region. IGAD has made great strides as a REC and still has a bright future as there is plenty of challenges in its member states that are still evolving which continue to require IGAD`s role in facilitating the advance of their interests towards the envisaged African Economic Community (AEC). Out of six members who are also members of COMESA, only three are in COMESA FTA (Djibouti, Kenya and Sudan). However, given that IGAD and COMESA have a Memorandum of understanding (MoU) that is complementing one another on trade issues, there is need to harmonize their trade activities and this would need a follow up and speed up of implementation of a MoU. The proposed FTA is aimed at harmonizing with the Tripartite FTA (ARIA 2010).

4.6.6 Southern African Development Community (SADC)

The Southern African Development Community (SADC) was formed on April 1, 1980 as a loose alliance of nine States; Angola, Botswana, Lesotho, Malawi, Mozambique, Swaziland, United Republic of Tanzania, Zambia and Zimbabwe. At inception it was known as the Southern African Development Coordination Conference (SADCC). Its initial aim was coordinating development projects in order to lessen economic dependence on the then apartheid South Africa. SADCC transformed into SADC on August 17, 1992 in Windhoek, Namibia when the Summit of Heads of State and Government signed the SADC Treaty and Declaration thereby giving the organization a legal character.

The current Member States are: Angola, Botswana, the Democratic Republic of Congo, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, United Republic of Tanzania, Zambia and Zimbabwe. SADC comprises eight institutions,

namely, the Summit of Heads of State & Government, SADC Tribunal, Council of Ministers, Organ on Politics, Defense & Security Cooperation, Sectoral/Cluster Ministerial Committees, SADC Secretariat, Standing Committee of Senior Officials, and SADC National Committees. The Organ on Politics, Defense and Security Cooperation plays a vanguard role as part of the institutional mechanisms for promoting and maintaining peace and stability in the region. The SADC Mutual Defense Pact of 2004 guides the implementation of the Protocol on Politics, Defense and Security Cooperation.

Currently, SADC region has a population of Population 257.7 Million inhabitants. The SADC Free Trade Area (FTA) was launched on August 17, 2008 at Sandton, South Africa during the 28th Summit of SADC Heads of State and Government. SADC is currently working towards becoming a Customs Union. On Wednesday October 22, 2008, SADC joined with the Common Market for Eastern and Southern Africa and the East African Community to form the African Free Trade Zone. The leaders of the three trading blocs agreed to create a single free trade zone, the African Free Trade Zone, consisting of 26 countries with a GDP of an estimated \$624bn (£382.9bn). It is hoped the African Free Trade Zone agreement would ease access to markets within the zone and end problems arising from the fact that several of the member countries belong to multiple groups. SADC headquarters are located in Gaborone, Botswana (SIA 2011)

Objectives of SADC

The objectives of SADC are to:

i Achieve development and economic growth, alleviate poverty, enhance the standard and quality of life of the people of Southern Africa and support the socially disadvantaged through regional integration;

- ii Evolve common political values systems and institutions; Promote and defend peace and security;
- iii Promote self-sustaining development on the basis of collective self reliance, and the interdependence of Member States;
- iv Achieve complementarities between national and regional strategies and programs;
- v Promote and maximize productive employment and utilization of resources of the Region;
- vi Achieve sustainable utilization of natural resources and effective protection of the environment;
- vii Strengthen and consolidate the long-standing historical, social and cultural affinities and links among the people of the Region

Achievements of SADC

Some progresses have also been made on accelerating free movement of goods, services and capital. These are as follows:

- i. Initiatives aiming at harmonizing custom procedures and instruments (including electronic exchange of customs data) were undertaken.
- ii. A single customs administrative document (SADC CD), thus, SADC Customs Development was developed to facilitate harmonization of customs declaration in SADC region.
- iii. A law on customs model to facilitate harmonization of customs national legislations.
- iv. A nomenclature of common tariffs was adopted.
- v. A proposal of regional transit framework was developed.
- vi. A review of rules of origin started in 2007.
- vii. A software of trade facilitation: for example, Promotion of a single counter at border posts and the implementation of SADC Transit Chain Bond Guarantee regulations;

viii. Updating non tariff obstacles undertaken on 2007 with an action plan aiming at informing, monitoring and eliminating non tariff obstacles,

ix .Harmonization of trade liberalization through a Task Force formed by SADC, COMESA and EAC;

x. A draft protocol on trade and service; a protocol on free movement of people, goods, Capital and services, xi Regional qualifications frameworks, harmonization of education systems in the region in order to facilitate free movement of people and man power. Regarding free movement of persons, following are the progress made by SADC:

- Entry of citizens from a member country on the territory of another member country is not subjected to obtaining a visa for a maximum period of ninety days per year.

- Authorization to reside on the territory of a member country must be obtained through application of a permit from the authorities of the concerned country in conformity with the legislation of this member state.

- The right to settlement consists of a permit given to a citizen of another member country by a member state in conformity to its national legislation to undertake an economic activity or a profession, either as a salaried person or as an investor.

- Member States are currently required to conclude bilateral Visa Exemption Agreements for SADC citizens by the end of 2009. In case of non-compliance, Member States are required to submit status reports to Council in the first quarter of 2009 giving reasons for non-compliance and the assistance they need for compliance.

Also important, HIV and AIDS has been one of the main challenges facing SADC region. In 2006, the Region contributed to a third of World's new infections and death from AIDS. However, some of the major policy frameworks have been developed which includes; SADC

Regional HIV Prevention Strategy and Action Plan for Universal Access (2008-2010), Framework of Action for Harmonization, Alignment and Monitoring of HIV and AIDS Funds, Regional HIV and AIDS Research Agenda, Framework of Action for Building Effective Partnerships between National AIDS Authorities and Civil Society Organizations and Training Guide on Mainstreaming HIV and AIDS for Policy Makers. These initiatives are expected to strengthen the capacity of SADC Member States towards universal access to prevention, treatment, care and support in the Region (SIA 2011).

Challenges of SADC

The customs union that was launch by SADC in the year 2010 poses a challenge since SADC need to have a strategy in order to accomplish its various integration schemes on time. Within SADC there is also SACU, which is at an advanced stage of integration. There is a need to get all the SADC Member States to the level of that customs union. Some SADC Member States are also members of COMESA, which are already in Customs Union. Member States cannot be part of two customs unions at the same time.

Member States are currently required to conclude bilateral visa Exemption Agreements for SADC citizens by the end of 2009. In case of non compliance, Member States are required to submit status reports to Council in the first quarter of 2009 giving reasons for non-compliance and the assistance they need for compliance.

For the free movement of persons in the SADC signed in August 2005, at least seven countries in the region have signed bilateral agreements to waive visa requirements for each other's citizen.

The harmonization of tourism and immigration policies, legislation and standards is on course

Progress has also been made on the followings:

i Initiatives aiming at harmonizing custom procedures and instruments (including electronic exchange of customs data) were undertaken.

ii A single customs administrative document

(SADC CD) was developed to facilitate harmonization of customs declaration in SADC region

iii A law on customs model to facilitate harmonization of customs national legislations

iv A nomenclature of common tariffs was adopted

v A proposal of regional transit framework was developed. But all these laudable achievements have not fully been translated in to practice.

This contravenes Another challenge is that Member States belonging to the same RECs (SADC and COMESA) which are both customs schemes implies that Member States would have to join only one custom union at a time possess a challenge for both COMESA and SADC and hence a wider challenge for continental integration (SIA 2011).

4.6.7 Community of Sahel-Saharan Countries (CEN-SAD)

The Community of Sahel-Saharan Countries (CEN-SAD) was established by the Treaty of February 4th 1998 held in Tripoli, Libya. Since June 2008, it is composed of 28 countries spread in North, West, Central, and East Africa: Benin, Burkina Faso, Central African Republic, Comoros, Côte d'Ivoire, Republic of Chad, Djibouti, Egypt, Eritrea, Ghana, Guinea Bissau, Guinea, Gambia, Kenya, Liberia, Libya, Mali, Mauritania, Morocco, Niger, Nigeria, Sao Tome and Principe, Senegal, Sierra Leone, The Somali Democratic Republic, Sudan, Togo, and Tunisia. CEN-SAD is the largest African regional organization in terms of its 28 member states,

population and area. The economies of most of the countries within CEN-SAD area depend essentially on the agricultural sector that generates an average of 30% of the Gross Domestic Product (GDP). However, despite its important contribution to the GDP, this sector lacks investments. For example, the proportion of national budget allocated for the agricultural sector remains below 10% in most of the Member States, despite their commitments made at African and regional levels. Thus, the agriculture developed within CEN-SAD area remains, in general and except the Northern part of the area, pluvial and very dependent on natural resources. The main trading partner of the CEN-SAD region is the European Union, which accounts for 36% of exports. Africa accounts for less than 10% of Community trade flows. Inter-community trade is slightly under 6% (2003). These figures provide a picture of the trade volume opportunities for agricultural products, livestock breeding and fishing that need to be exploited and developed. In 2008, the overall goods trade among CEN-SAD countries stood at over US \$3 billion, representing an on-negligible 7.5% of intra-regional trade (ARIA 2010).

Objectives of CEN-SAD

Since its establishment in 1998, CEN-SAD's administrative offices are spread in member countries, in Libya and Mali, and intend to achieve the following objectives within the Abuja Treaty as road map:

- a) Establishment of a comprehensive economic union based on a strategy to be implemented in accordance with a developmental plan that would be integrated in the national development plans of the Member States. It includes investment in the agricultural, industrial, social, cultural and energy fields.

- b) Elimination of all obstacles impeding the unity of its Member States through adopting measures that would guarantee the following:
- i. Facilitating the free movement of individuals, capital and meeting the interest of Member States citizens.
 - ii. Freedom of residence, work, ownership and economic activity.
 - iii. Freedom of the movement of national goods, merchandise and services
 - iv. Encouragement of foreign trade through drawing up and implementing an investment policy for Member States.
 - v. Enhancement and improvement of land, air and sea transportation and telecommunications among Member States through the implementation of joint projects.
 - vi. Consent of the community Member States to give the citizens of Member States the same rights and privileges provided for in the constitution of each member state.
 - vii. Coordination of pedagogical and educational systems at the various educational levels, and in the cultural, scientific and technical fields.

Achievements of CEN-SAD

CEN-SAD has high level and regular political consultation, in pursuance of the provisions of the United Nations Charter (Chapter VIII) and the protocol establishing the Peace and Security Council, dealing with impending crises through specific mechanisms. It has concerted and coordinated fight against factors of crisis and insecurity. CEN-SAD covers 28 member countries and helps in non-interference conflict. It organizes meetings of security, defense, chief of defense staff, heads of external security department, justice ministers in order to try and tackle problems jointly which among others are; cross boundary, arms traffic, drugs, human traffic and illegal immigration. To manage these problems, the security ministers meet every year to review and

put in place measures of solving problems. Focal points are in every country to solve security problem in order to act quickly when problem arises. Early Warning System is in place in order to avoid conflict. For the case of Sudan and Chad conflict, CEN-SAD played a role by bringing the two parties together. CENSAD has the following Protocols on peace:

- i. Protocol on mechanism of prevention, management and conflict prevention
- ii. Convention of cooperation on matters of security
- iii. Charter of Security

Challenges of CEN-SAD

CEN-SAD like other regional economic communities, need to have coordinated regional and continental wide approach to infrastructure financing, institutional harmonisation and policy coordination. Improving the transport infrastructure on the continent is critical to enhancing trade as stated at the beginning of the CEN-SAD trade within and outside the region. CEN-SAD main trading partner area is the European Union, which accounts for 36% of exports.

The Status of CEN-SAD's Protocol on Free Movement, is to have come in force in ECOWAS Member States since May 2009.

- Through this Decision, holders of duly issued and valid diplomatic passports, official passports, and special envoys duly mandated by State Authorities, are exempted from entry visa for visits not exceeding 30 consecutive days in signatory Member States.
- A Protocol on free movement of persons, goods and services is in progress. This means free movement is yet to be attained despite endorsed protocols on integration (SIA 2011) and (ARIA 2010).

4.6.8 Arab Maghreb Union (AMU)

The first conference of the Arab Maghreb Union was when the Maghreb Ministers convened in Tunis in 1964 to establish the Permanent Consultative Council of the Maghreb (CPCM) between Algeria, Libya, Morocco and Tunisia, to coordinate and harmonize the development plans of the four countries as well as intra-regional trade and relations with the EU. However, for a number of reasons, some of which is conflict ethos of nationalism and pan-Africanism, the plans never came to fruition (Field Notes). It was not until the 1980s that new impetus began to bring the parties together again with an additional member, Mauritania.

The first Maghreb Summit of five Heads of State was held at Zeralda, Algeria in June 1988 which resulted in a decision to formally set up the Maghreb High Commission and various specialized commissions (www.amu.org). AMU has no formal relations with the African Economic Community because the union has not yet signed the protocol on relations with the AEC, even though, the AEC Treaty recognizes AMU as one of its building blocks for continental integration. AMU is currently dormant with secretariat at Rabat, Morocco (Wikipedia retrieved 2010).

Objectives of AMU

AMU's objective was to coordinate and harmonize the development plans of the four member countries, and to promote intra-regional trade between them and relations with the EU. This however remains dormant since no achievement has been made since it was convened in 1964, (SIA, 2011).

Summary of analysis of RECs, building blocks of AEC

From the foregoing, it is worth noting that the different RECs are pursuing some programmes and activities towards building strong sub regional unions. The number of activities and resolve of the member states vary from place to place. Each region has a peculiar challenge that constraint the integration process towards continent-wide agenda. For instance, AMU is virtually moribund. Disagreements between the member states, particularly between Algeria and Morocco over the status of Saharawi Arab Republic, a republic from the latter have stalled the process of integration in the sub region. It has become impossible for any form of economic union to progress with the political issue hanging in the region. In Central Africa, the problem is with duplication of regional arrangements. ECCAS exists alongside Economic and Monetary Community of Central Africa (CEMAC), which is an equally influential sub regional community within the sub region. This politicizes the integration process.

While in ECOWAS region, West Africa Economic and Monetary Union (WAEMU) of the francophone rivaled ECOWAS of much wider heterogeneous economic block, the rivalry seems to have been resolved by the two organizations working together to harmonize their programmes and policies. The global picture of the RECs therefore reflects common agenda, but divergent interests, plans and procedures. The AU's effort to regularize the relations saw the enactment of the Protocol on relations between AU and the RECs. In it, provisions were made on how to streamline the activities of the RECs and build effective communication links between them so that their plan to harmonize regional economic integration agenda amongst them in order to achieve continent-wide integration. As of the year 2011 however, only ECOWAS and SADC, EAC, have acceded to the protocol on relations with the AU exchanging liaison officers in each other's commission (SIA 2009 and Field notes 2011).

Table below (Table 4.6.8) shows low level of intra-trade among Africa states in some selected RECs, an evidence of lack of complementarity in their trade relations which favours trading with third-states. Also important, the following table (Table 4.2) further demonstrates slow progress in the implementation of the Abuja Treaty or the AEC. This is a major challenge in the realization of the AEC project. The absence of high economic transaction between the African states is a disincentive for them to build an economic community on the basis of comparative advantage. See maps on the appendix.

Table 4.6.8: Levels of Inter-Regional Trade among Some African Sub regions

Basic facts on intra-regional trade In billion dollars		percentage of total export	
Organization	Number of members	Total Exports	Intra-trade Share
UMA	5	26.8	3.2
ECOWAS	16	19.2	8.6
UEMOA	8	4.3	10.4
CEEAC	10	5.6	2.5
UDEAC	6	5.1	2.3
CEPGL	3	0.5	1.1
COMESA	22	13.0	7.0
SADC	14	10.9	5.1

Source: Adapted from Kennes, E (1999).

CHAPTER FIVE

EVALUATION OF MODUS OPERANDI OF THE AEC IMPLEMENTATION

5.1 Further analysis of constraints to Africa's Integration

As has been discussed earlier in the preceding chapters, the African integration processes, within the context of the AEC program is proceeding at a puzzling pace, specifically on the 2028 deadline of merger of regional economic communities (RECs) as whether attainment is possible or not. This is because there is no unhindered free movement in the continent without the use of visa in the year 2011 between and amongst AU member states. Therefore, we need to interrogate some of the key factors that can make or mar the process of integration. These factors are the functioning of the AU Commission, the Member States and their interests, the RECs and their status and the issue of popular African involvement in the integration process.

For example, our experience of passing through hurdles of demands of letters of introduction from my institution of fellowship and employment that were demanded separately and at different occasions in getting visa from the Ethiopian embassy in Abuja, Nigeria for this study in Addis Ababa is an index of evaluation of integration in Africa despite ratified Abuja agreement. Exploring the interplay of these factors is germane to the evaluation of the AEC project. The factors are discussed in the sections of the chapter

5.2 The AU Commission: Mandate, Modus Operandi and the Implementation of the AEC program

The AU Commission is the executive arm of the African Union responsible for coordination and implementation of regional agreements, policies and programs. The main program of the Commission since the enactment of the Abuja Treaty is the economic integration of the Continent. The Commission works with the member states, the RECs and other stakeholders to

ensure the implementation of the Abuja Treaty. It is charged with the responsibility of developing programs for the gradual elimination of barriers of trade and free movement in the Continent by coordination, harmonisation and progressive integration of the activities of existing and future regional economic communities (RECs) in Africa. It is therefore the supervisory body that oversees the AEC project. Within the Commission there are different departments, each mandated to handle a piece of the 'African' mandate of the Commission. The success of the AEC project lies in an effective and efficient delivery of the departments on their mandate. It is also hinged on the capacity, energy, determination and mood of leaderships within the Commission system. Our observation in the commission on the aforesaid issue of free movement reveals that only the AU Commission staff enjoys a somewhat establishment of free trade and customs union, the third stage of the AEC (2009-2017) which is practiced by them. This was earlier confirmed by Ms Shumbana Karume's interview responses at the AU Commission (14/06/2011).

Within the AU Commission system, there are originally eight departments but now thirteen with effect from 2012 (auwebmaster 2012). The Economic Affairs Department of the Commission is mainly charged with the implementation of the AEC program, which suggests that the integration process is designed to proceed based on a 'stage model' in which experts in economic matters handle the process. However, we argue here that economic integration within the African context cannot proceed on the basis of 'functional-economic' ideals alone. Perhaps, that is partly why the implementation of the AEC program has not got off well, being a slow process which confirms our study's assumption.

Economic integration in Africa is more of a political decision by the African leaders to promote unity, independence and economic welfare of their peoples on the basis of pan African solidarity

of ethos without concrete policy sanctions. That is why it is not being domesticated in member states involving the people. It therefore means that progress can only be made when appeal is made to this solidarity with political will. This is more so when one considers the huge short term costs of severance of traditional colonial economic links between the member countries of the AU and unwillingness to surrender elements of sovereignty. It therefore, requires political action, in terms of persuasion, diplomacy and appeal to pan Africanism for the AEC project to become a reality.

The thinking within the Commission is that AEC is the business of the Economic Affairs department. The root of it may be in the way the architects of the Commission perceive integration as a functional, apolitical process. The Economic Affairs is responsible for the entire business of economic integration matters from the level of free trade area to an economic union, but when and how depends on political commitment of member states and the RECs.

During three-month stay at the Commission, it was also observed that the Department of Economic Affairs primarily handles issues that border on wholesome economic matters of African states , such as market-trade relationships of goods and services, of factors of production in the sub-regions and other macro-economic statistical indices meant for integration. In a way, it assumes away the relevance of institutional coordination and the political forces in integration. Therefore, the Political Affairs Department of the Commission is somewhat detached and uninterested in the economic programs of the Union. The mandate of the Political Affairs as enunciated in the Maputo Declaration of 2003 is mainly to handle elections, human rights and humanitarian matters. They are not directly involved in promoting the economic integration process. This sets back the AEC project as decision makers are not prodded to implement what

the economic experts may consider appropriate for moving the process forward. This is depicted in graph 6.1 below as found with the Economic Affairs Department of linear road map of integration.

Figure 5.1: Showing Bela Balassa's (1961) model of five graphical stage process of regional integration.

5. Economic and Monetary Union		Central Bank with a single currency				
4. Monetary Union			Merger of fiscal and monetary administration			
3. Common/Single Market				One market with a single standard of goods and services		
2. Customs Union					Merger of customs regime	
1. Free Trade Area						Removal of obstacles to trade, human skills and capital (free movement)

Source: Cited in SIA with the Department of Economic Affairs, AU Commission, 2011

Whereas, the motive of integration is political, El-Agraa (1961), argues that even though, integration process is usually economic, it needs political forces for implementation. The justification of the former, is demonstrated in the sixth stage of integration, the political union with a constitution and a parliament in the graphical illustration below (Graph 6.2); thus a block of knowledge to the existing literature as shown above.

Figure 5.2: Showing modified Balassa's (1961) model to include the sixth stage of political union as contained in the AEC Treaty.

6. Political Union	Constitution and a Parliament					
5. Economic and Monetary Union		Central Bank with a single currency				
4. Monetary Union			Merger of fiscal and monetary administration			
3. Common/Single Market				One market with a single standard of goods and services		
2. Customs Union					Merger of customs regime	
1. Free Trade Area						Removal of obstacles to trade, human skills and capital (free movement)

Source: Adapted from El-Agraa (1961) and Koussi (2005)

The lack of coordination between Political and Economic Affairs Departments i.e. the segregation of the politics and the economics of integration process, often dominates analysis of

the African integration. For instance, Asante (1997) argues, based on economic elements, that the structure of African economies, which is characterized by lack of complementarity, even when African states are endowed with different natural mineral and agricultural resources is not suitable for economic integration. However, the analysis is rather static. It underrates the capacity of political decisions in transforming the economic structure which is in itself complementary when developed and therefore suitable for trade amongst African states. On this point Olivier (2003) writes, 'economic or trade related analysis of African integration tend to be too narrowly focused, positivistic and uni-dimensional, failing not only to bridge the gap between politics and economics but also to encapsulate the *sui generis* nature of the African scene being not really congruent with the subject of analysis' (Olivier, 2003:2-3).

On the contrary, the lack of marked differences among AU member states in their production structures manifest in terms of lack of added value on goods to be traded which brings to bear the problem of lack of complementarity. Complementarity is the rule provided by the WTO, for regional states to provide added value goods that can be traded as against trading in primary products that largely characterizes Africa's trade relations which is the biggest stumbling block on integration. Even at that, the lack of complementarity covers unofficial trading that does not fall under official statistical records.

Also important, the slow progress in the process of African economic integration is partly attributable to institutional dysfunction at the Commission, where politics is practically isolated from the process of implementation of the AEC program as earlier discussed. Therefore, when member states feel that it is expedient and convenient to jettison the African economic program and pursue narrow economic interests, they may do so without thinking twice. This is because of

the absence of supranational political supervision on economic integration at the level of the AU. The experts in the economic affairs are helpless in this scenario on their responses. The issue of the member states' interests as a factor in the implementation of the AEC program is discussed in the next section.

5.3 Member States and the Stakes of Economic Integration

The member states are the micro blocks or cells of the African economic integration. They exist beneath the eight recognized giant blocks and constitute the cells of the blocks. Each of the member states of the AU has its history, form and contradictions. Most of the African states are product of colonialism. Therefore, the structure of their economy and their social and political constitution and elite socialization is constructed on the bases of the colonial architecture. Dismantling the colonial socio-political and economic structures has proven to be a serious challenge since most of the economies of member states of the AU are symbiotically connected with their former colonial masters. Nevertheless, the AEC is in part a project to strengthen and sustain the sovereignty and independence of the African economies. Hence, there are forces within the African states and from outside that constitute huge obstacles to the implementation of the AEC program.

As earlier mentioned the option for the member states of the AU in realizing the AEC is between short term cost and long term gains. But this option is not a simple one. Pursuing the economic integration agenda of Africa may involve causing a storm in the tea cup. In other words, the old colonial economic structure has to be upset as Africans re-direct their trade and investment relations inward and reduce external relations. The economic cost will come when employments and incomes that rely on colonial and post-colonial external relations become affected. There

may be increase in unemployment and poverty in the short term. The political cost for leaders in a democratizing Africa is high. Therefore, many leaders in Africa prefer to strengthen their tents with their erstwhile colonial partners than risk establishing new ones with their African counterparts.

This reality is understood and appreciated by top officials within the AU Commission. For instance in an interview with Dr. Mamadou Dia, Head of Division of Democracy, Human rights and Election, AU Commission; about the general problems of integration, he unequivocally said: ‘member states of the AU are the problems of integration in Africa’ (Field notes, 2011). This is referring to the fact that the integration is largely a state centric mission, but one in which the states have failed to promote. Most of the member states, despite ratifying the integration instruments of the RECs and the AU, often prefer to subscribe to rabid national interest against the agreed continental agenda.

Corroborating this point, Mr. Chrisantus Ayangafa, a Senior Political Officer to the AU Chairperson opined that the situation as described above has made the AU’s institutions established as ‘empty shells’ owing to failure to make substantial progress on the agreed timeline of integration schemes since member states seem not ready to make compromises on the long term gains of integration.

Earlier Gowon (1984) sequel to exposition of scholars on integration suggested that for integration practice is to be successful, there must be ‘front runners’ of states by their resources who will sacrifice them in order to achieve greater collective glory as well as allow weak

economic members of the evolving community with institutional leadership so as to allay their fears of domination. This theoretical understanding is fast eroding with the ascension of Mrs. Zuma of South Africa, from one of the strongest member of AU as its Chairperson in 2012 is unhealthy for continental integration.

Of special note here on the question of national interests versus the continental interest is the recent election of Mrs. Nkosazana Dlamini Zuma as the Chairperson of the AU Commission. The election was marked by serious controversy, one which split the continent into two groups; it exposes the failure of the member states to uphold the understanding/unwritten rule that the leadership of the AU Commission should be confined to the hands of smaller countries and not those of the biggest-five contributors to the union namely, Nigeria, Algeria, Libya, Egypt and South Africa (The Economist 2012). This is in order to allay the fears of the smaller countries and build confidence in the collective benefit of subsuming their sovereignty under a regional umbrella. However, that development exposes the rift between the member states and their interests; highlighted the divide between francophone and Anglophone (The Independent, 2012). The power tussle for the position of the AU Commission leadership however revealed a much more fundamental problem. This is the issue of lack of consensus among the AU leadership about how to chart an 'African agenda' (Field notes, 2011). Jean Ping and his approach of handling the crisis in Libya and Côte d'Ivoire clearly did not go down well with powerful countries like South Africa. And so they worked to remove him by violating the understanding/principle in order to address indecision on peace and mediation in addressing myriad of security issues troubling the continent against the western 'cowboy' approach (Field notes, 2011).

The imperial economies of the world are also not sleeping. They contribute to any disincentives for African states to implement their regional plans. These they do through their various distracting policies such as the African Growth and Opportunity Act (AGOA) of the US, the EU-Africa Caribbean and Pacific Economic Partnership Agreement, which is a harsher version of a series of neo-colonial economic ties, called the Cotonou agreement. The Cotonou agreement is incidentally named after one of Africa's dumping sites of industrial garbage.

5.4 Popular participation and the AEC project

Popular participation is the involvement of the civil society in the integration process, i.e. the participation of ordinary people that ought to be the real instruments and beneficiaries of integration in Africa. The civil society is defined as groups that include the family and the private sphere, who exist between the state and the market and indeed consumers of market-end product. In other words, it is often referred to as the third-tier of society, distinct from government and business or multinational companies (Encyclopedia Britannica 2009). Since as (Izah 1994) observes, multinational corporations in the twentieth century have become more pervasive and intrusive in global economic control serving the interest of their parent country than that of the host. They may not be useful for integration in Africa, because it will imply trading with a non-partner, than a partner.

Hence, the importances of transnational transactions amongst regional companies that will allow for the transactions of people in the some regions constitute key drivers of regional integration. The demands generated by transnational transactions often compel governments to organize regional frameworks to facilitate exchanges between the private individuals and groups. In the

European Union, for instance, transnational exchanges have promoted the European integration project.

Currently in Africa, there are three established Civil Society Organizations from the western, eastern and southern sub-region of the continent and have made modest achievement on their formation in pursuance of integration in tandem with Article 15 of the AEC Treaty on Economic and Social Commission Composition and Participation in sub-section.

This provides for Representation at the regional economic communities and in meetings of the AU Commission and its subsidiary organs in order to fast track integration agenda as observers. Similarly, the AU Constitutive Act provides that in Article 22 which established The Economic, Social and Cultural Council. Furthermore, sub-section (1) states that the Economic, Social and Cultural Council shall be an advisory organ composed of different social and professional groups of the Member States of the Union. The modalities and conditions of their participation are prescribed in the protocol concerning relations between the Community and African regional and sub-regional Organizations and Third States. Representatives of other Organizations may also be invited to participate as observers in the deliberations of the Commission.

Civil Society Networks from West Africa, East Africa and Southern Africa represented by West African Civil Society Forum (WACSOF), East Africa Civil Society Organizations Forum (EACSOF), and Southern African Development Community Council of NGOs (SADC-CNGOs) respectively met on 30th may to 1st June 2012 in Abuja, Nigeria and in attendance were the representatives of UNECA, AU and ECOWAS. The meeting laid the foundation for strengthening civil society collaboration and coordination at the regional and continental levels, particularly regarding civil society engagement with the Regional Economic Communities

(RECs) and with the African Union (AU) (africacountcoalition 2012). This is due to problems of free movement in the continent confronting civil society which is marring the African integration process.

The meeting was an opportunity to share respective organizations 'experiences and assesses civil society's engagement strategies with Africa's integration agenda regionally and continentally. Several issues emerged impelling a collective decisions and made specific recommendations as follows:- At the continental level appreciating that 2012 is the Year of Shared Values and accepting the call by the African Union for Civil Society to contribute to the realization of the vision and objectives of the Year of Shared Values thereby called on governments of member states to accelerate the processes of signing, ratifying and implementation of continental protocols and decisions to contribute to the year of Shared values, especially the African Charter on Democracy, Elections and Governance, the African Charter on the Values and Principles of Public Service and Administration and the African Union Convention on the Prevention and Combating of Corruption. This is as a result of obstacles to the free movement of people especially Africans in Africa more specifically; problematic conditions of entry to Addis Ababa, Ethiopia the capital city of Africa as host of the African Union Commission the home of our continental institution.

Therefore concerned that ECOSOCC which was designed to give civil society presence and a voice within the AU organs, institutions and decision-making processes has to date not effectively facilitated civil society nor advanced its interests, views and issues within the AU decision making processes; committing ourselves to constructively engage in efforts towards revitalizing the ECOSOCC and ensuring that it fulfills its mandate and effectively utilizes the space provided for civil society in the AU structures and agenda africacountcoalition (2012).

The RECs were adopted as important fora for civil society activism both because of their importance in their own regions and because they have a voice in the discussions of the African Union. The Economic Community of West African States (ECOWAS) has the most formalized parallel civil society body, known as the West Africa Civil Society Forum (WACSOFF). Many of the RECs have their own courts, including ECOWAS, SADC and the EAC. Ordinary citizens and civil society Organizations have the right to bring cases directly to these courts, and there have been important decisions from both the ECOWAS and SADC courts in favour of human rights principles. The East African Court of Justice has also ruled on issues relating to the composition of the East African Legislative Assembly. All these forums underscore the cells of popular participation in building the African Economic Community.

However, participation of civil society in integration at the level of popular free movement in member countries remain ineffectual since agreed enabling protocols have not been domesticated by domestic legislation that could lead to removal of state officials particularly, at the borders.

Finally, chapter seven is essentially, reasoned judgment on the subject matter of continental integration in Africa with summary, conclusion and recommendation.

CHAPTER SIX

EVALUATION OF KEY ISSUES OF AEC AND FINDINGS

6.1 Key Issues on Africa's Integration in the 21st Century

Most if not all integration challenges that apply to RECs equally are applicable to the larger African continental integration and among these are high production costs, poor technological developments, and poor networking within the region, supply constraints, poor infrastructural development, low foreign direct investment, lack of policy harmonization, overlapping membership, human capacity and poor mobilization of resources.

Implementation challenges of the AEC Treaty includes- a) accession of all Member States to the FTA prior to the launch of Customs Union; b) finalization of the regional framework on trade in services; c) above all, lack of full implementation of intra-African trade as a result of non-complementarities in which most African states' economies favor or over rely on trading of primary commodity with third states (outside Africa) that has not received added value remained. This has remained the nature and character of trade relations between African states, a colonial legacy that favors inter-regional trade with Europe and other continents to the detriment of intra-African trade and also limited number of transit transport facilitation instruments so as to enhance movement of transit and cross-border traffic.

There is also the problem of recurring challenges of insecurity and states' political instability which is as a result of failure by most African states to reconcile struggles over socio-economic and political opportunities and the problem of over population in desperately young-unemployed citizens. Africa states challenges originally started with contestation on inherited colonial territories in the 1960s and 1970s. For example between Uganda and Tanzania, Chad and Libya,

Burkina Faso and Guinea, but all these were mediated by the then OAU. The current challenge is occurring in the great lakes region, the horn of Africa and in the North, and West Africa where consolidation of democracy and good governance is undergoing trial. There is the problem too of establishing a steam or steam less rail transportation system in the RECs; d) establishment of the Joint Competition Authority in order to implement the Joint Air Transport Competition Regulations by the respective RECs especially, from Cairo to Cape and from Mediterranean across the Sahara to west African coast; and e) acceleration to establish a Monetary Institute, which would undertake necessary preparatory work leading to the creation of Monetary Union in each zone. In this case, Clearing Houses needs to accelerate the establishment of the Regional Payment and Settlement System (REPS) in order to become operational. f. Signature and ratification of the Protocol of free movement of Persons labour, services, and the right to settlement by Member States so that it can become effective; prior to political union and of course, supranational governance (Field Work 2011).

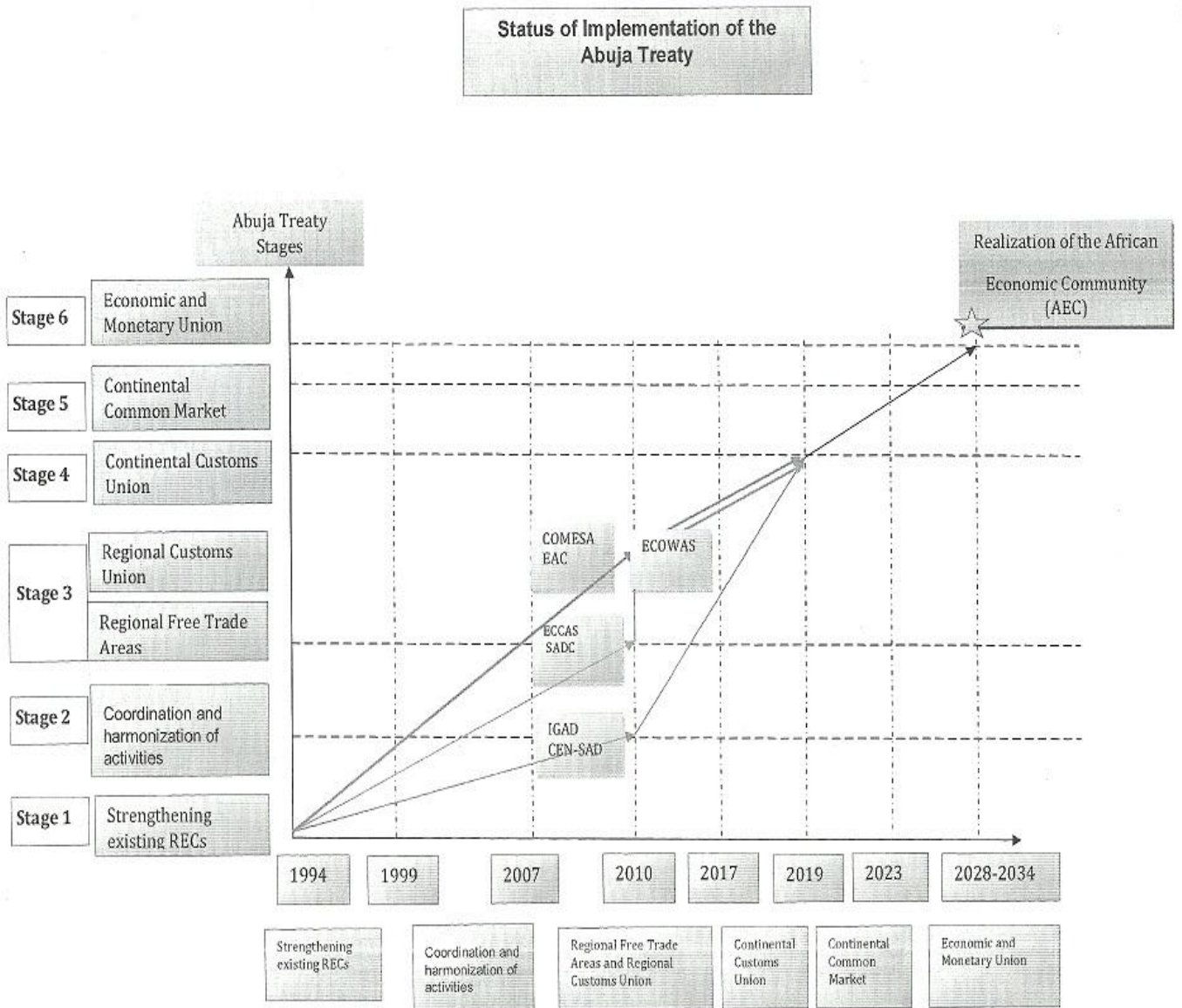
According to Assessment of Regional Integration in Africa (ARIA II) in 2006 sees AEC integration schemes with the RECs as a case of inefficiency and ineffectiveness. It further went on to say that the RECs are characterized by overlapping membership, duplicated programmes, inefficiency and overall ineffectiveness with a call for their rationalization, to make them meaningful in order for them to achieve their set or expected objectives in line with those of the AEC. As of the year 2011, status of integration in protocols of RECs for practice towards the AEC has not fully materialized is shown below. Therefore, the AEC integration can best be described as work in progress without a scientific timeline.

What can African integration learn from European Union?

The European Union regional integration which has become the major regional integration initiative in the world is not because of economic size and scale (asset), but because of its vibrant civil society, market economy that has high skill labor and environmental standard. It also has a global standard companies and a model of good governance that reconciles national sovereignty with cooperation between member states while pursuing political integration.

With the fore attributes, it is safe to say, that the EU is a model which Africa can learn from especially on its leadership and political will to share sovereignty and the strong legally based common institutions overseeing her integration schemes. The EU also has a deep sense of constitutionalism based on legally binding treaties which has led to supranationalism in the Union with well established enforcement mechanism. This kind of rules-based integration is the hallmark of the EU, and apparently, lacking in Africa's integration (Reynders, 2013).

Figure 6.1.1 below showing graphical design of AEC with somewhat ambition unlike deepening integration of the EU



Source: Adapted from SIA 2011

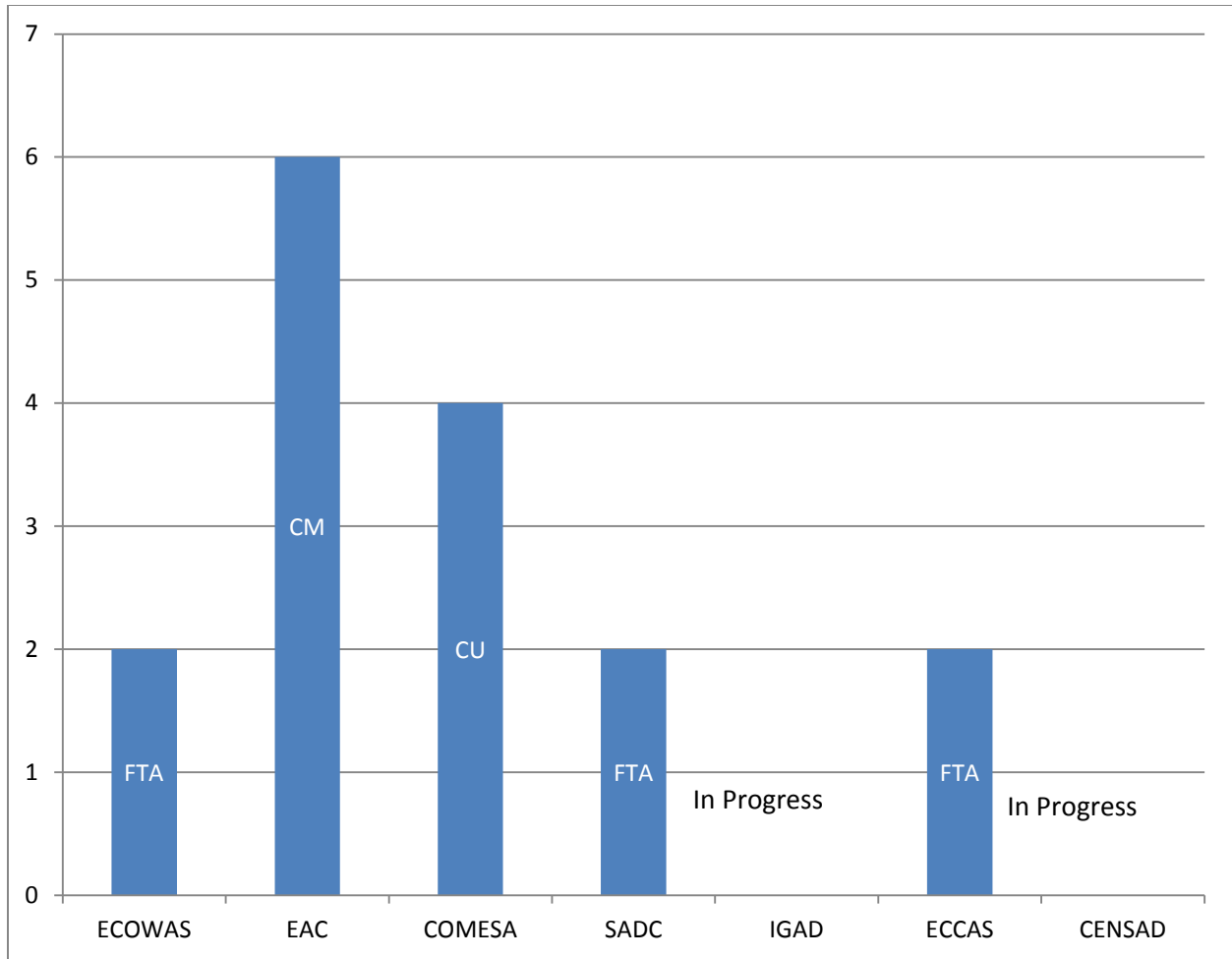


Figure 6.1.2 above, showing bar chart of status of integration in the seven Regional Economic Communities (RECs), while AMU remains moribund.

One of the key issues stunting integration in Africa is the challenge of achieving peace, security and development in Africa which has been affected by sub-regional, global and continental events.

Historically, the primary threats to security in Africa emerged predominant the global conflicts generated and perpetuated by the Cold War between 1945 and 1990, as well as internal governance malpractices by Africa's military and civilian autocrats. After the Cold War, the continent's promise of peace and development remained largely unfulfilled. Instead, Africa was confronted with an increase in intra-state conflict in places like Liberia, Somalia and Sierra Leone, and the tragic genocide in Rwanda in 1994 in which nearly one million people were killed. Today, security and stability remain key challenges in all parts of Africa. In addition, the nature of threats has expanded to include social issues like poverty, corruption and public health issues such as HIV and AIDS.

The beginning of African integration efforts started with the Pan-Africanist struggles in the area of total liberation of the continent from colonial rule right from agitation days in 1945 to dismantling of white apartheid rule in South Africa in 1994. It is important to note that Africans in Diaspora participated actively in that process and that is why it is important if the strategy for integration is to succeed, there is need to continue to partner with them in order to benefit from their wealth of ideas. Currently, the African Union has recognized civil society in Africa and those in the Diaspora in their activities of integration and efforts against threat to democracy, good governance and human rights. These laudable goals are also managed by RECs, notably ECOWAS and by the Peace and Security Council of the African Union.

It is important to note that Africa is not fully free since nine (9) of its islands are still under foreign rule, a condition that does not favor unity and integration and the issue seems to be silent among most scholars and African statesmen of today despite the provisions of Article 2 and 3 of the Charter of the OAU which provided for ‘...the eradication of all forms of colonialism from Africa, and the absolute dedication of total emancipation of the African territories which are dependent on foreign rule’...This ethos is now embedded in the AU Constitutive Act of 2000 (Khamis 2008).

Unfortunately, the following islands are still under direct foreign rule namely, The Chagos and St. Helen islands (United Kingdom); The Canary, Ceuta and Melilla islands (Spain); La R’eunion and La Mayotte islands (France); and The Azores and Madeira islands (Portugal). The question is can there be effective continental integration in Africa when some of its territory are under colonial possession, considering Europe’s abandonment of the Marshall plan in 1949 for intra-European integration.

6.2 Evaluation of the relationship between AU and RECs

Africa's current integration landscape contains an array of eight (8) Regional Economic Communities considered to be the building blocks of the African Economic Community. These 8 are namely: AMU, CEN-SAD, COMESA, EAC, ECCAS, ECOWAS, IGAD and SADC.

The concept of good faith and the resultant observance of treaty obligations are the basis on which Member States must make regional integration decisions as well as ensuring their performance and implementation (auwebmaster, retrieved 16/08/ 2014). Furthermore, in addition to compliance to treaty obligation in pursuance of continental integration agenda, implementation of integration

schemes can only be made on a scenario of stable peace and security mechanism, just as how the Westphalia agreement encapsulated the birth of the modern Nation-state system with the attributes of a defined territory, population, constitution and a functional government able to ensure security and control in order to lift her citizens from low level of civilization to development across spheres and indeed prosperity.

The threat of insecurity across the continent and within member states according to Francis (2006) places Africa with a stark choice: either to unite or perish. Arguing that a precondition for a successful regional integration against rhetoric of unity must be predicated on an example of a worker able security apparatus that was employed by ECOWAS, the Economic Community of West African States Monitoring Group (ECOMOG) which contained and managed the civil wars in Liberia and Sierra Leone unlike unsuccessful operations of SADC forces in the Democratic Republic of Congo (DRC) in peace keeping 2013. However, the success story of ECOMOG in Liberia and Sierra Leone was based on the application of 'Peace Enforcement', a concept and practice that was not popular in peace and conflict resolution since there was no buffer provided by the belligerents for the ECOMOG 'peace keepers' in those operations.

Therefore the commitment of African leaders to deepen and consolidate regional economic integration as outlined in the 1991 Abuja Treaty seems to be lacking in functional security system. This is further illustrated by the annual meeting since 2006 of the Conference of African Ministers in Charge of Integration (COMAI), and the Tripartite Task Force established in October 2008 by the Common Market for Eastern and Southern Africa (COMESA), East African Community (EAC), and the Southern African Development Community (SADC) with a view to setting up a free trade area (tripartite FTA) encompassing member countries did not take off very well because of growing regional insecurity. The focus is usually on declining economic

performance in their economies, reduced exports to developed markets, and declines in GDP per capita which are important, but predicated on stable scenario that can usher apolitical functional activities of people across an enlarge market. Larger regional markets have the power to attract more investment which is true, but then, there is a lacuna on regional peace and security systems' architecture.

Africa's leaders also want to increase their bargaining power, that is, to negotiate on the basis of a larger market. Negotiating as a group has the added benefit of increasing transparency and limiting opportunities for corruption. Africa's regional economic communities have made significant progress toward achieving their goals, especially in areas such as trade facilitation, harmonized standards, and transport corridor development. But with the exception of AGOA-related apparel and auto exports, trade patterns have not changed appreciably. Too few regional supply chains have appeared, and regional trade has not expanded as anticipated.

A range of technical, economic, institutional, and political issues have slowed or curtailed progress toward regional economic integration in Africa. One problem is countries' overlapping membership in regional economic communities. A significant problem for all the RECs is lack of implementation of commitments, attributable to, in various instances, lack of political will and lack of technical capacity. There is also the fear of the largest market in each of the three major RECs by the smaller economies, Kenya in COMESA, Nigeria in the Economic Community for West African States (ECOWAS), and South Africa in SADC has dominated formation of the REC's respective FTAs and as protected local industries. In addition, a plethora of non-tariff barriers remain, and a number of smaller countries have been unwilling to eliminate customs

duties, arguing a need to service revenue requirements. Unfortunately, this trend has been reinforced by the global economic downturn.

The eight RECs recognized in the Abuja Treaty as the building blocks for stronger economic integration and an eventual AEC—Arab Maghreb Union (UMA), Community of Sahel-Saharan States (CEN-SAD), COMESA, EAC, ECOWAS, Economic Community of Central Africa States (ECCAS), Inter Governmental Authority on Development (IGAD), and SADC has strengths and weaknesses. For example, COMESA has built a reasonably strong Secretariat, EAC and ECOWAS have made headway on free movement of people, and SADC has made notable accomplishments in the area of transport corridors. But all face a common challenge in their need to increase capacity to implement integration mandates and programs, monitor integration, and measure resulting benefits.

Also, the capacity to prepare for and conduct negotiations must be strengthened at the regional and member state level, as evidenced by the failure of the RECs and their members to present a prepared and unified position in the EPA talks. Issues must be defined and presented and best practices communicated. The capacity of national implementing institutions, as well as the AU, needs to be strengthened. Regional economic integration can help tackle Africa's development challenges through reducing barriers to trade for imports and exports, agricultural and manufactured goods, as well as services. But implementing a regional economic agenda is challenging and takes time. COMESA and SADC, and other RECs, after years of working to deepen economic integration have made clear progress in many areas; yet, they have only achieved partial integration. Individual regional groups have fallen short, often unable to

convince individual countries of a “win-win” in implementing reforms and lowering trading barriers. Serious challenges remain, causing many to question legitimately why countries will be more willing or able to implement a wider tripartite FTA than a regional one.

With the potential for new markets in east and southern Africa, the tripartite talks appear to offer countries a sufficient stake to respond to arguments for local protection. The talks also afford countries the opportunity to harmonize rules, policies, and plans around best practices, for example, liberalizing trade-limiting rules of origin under SADC. Moreover, they offer the potential for a solution that might drive tangible regional integration objectives essential for economic growth and diversification, food security and poverty alleviation. However, for there to be an effective continent-wide integration in Africa, emphasis must be placed on intra regional trade and de emphasis on trading with non partners, particularly EPA, AGOA and Chinese market storm in Africa.

6.3 Program of Infrastructure Development for Africa (PIDA)

Infrastructure plays a key role in economic integration, and conversely, the lack of infrastructure affects productivity and raises production and transaction costs, hinders growth by reducing the competitiveness of businesses and the ability of governments to pursue economic, political and social development policies in member states (SIA 2011).

“Infrastructure plays a key role in economic growth and poverty reduction. Conversely, the lack of infrastructure affects productivity and raises production and transaction costs, which hinders growth by reducing the competitiveness of businesses and the ability of governments to pursue economic and social development policies. Deficient infrastructure in today’s Africa has been found to sap growth by as much as 2% a year (Calderón 2008). This is a continental problem that requires a continental solution.”

The lack of infrastructure in Africa is widely recognized. Deficits of infrastructure have a clear impact on African competitiveness for integration. African countries, particularly those south of the Sahara, are among the least competitive in the world, and infrastructure appears to be one of the most important factors holding them back, particularly in integration. Deficient infrastructure in today's Africa has been found to sap growth by as much as 2% a year. This is a continental problem that requires a continental solution (AU 2011).

Many of Africa's 54 countries are small in population, with populations of fewer than 20 million and economies of less than \$10 billion. Their infrastructure systems, like their borders, are reflections of the continent's colonial past, with roads, ports, and railroads built for resource extraction and political control, rather than to bind territories together economically or socially. Because Africa's economic geography is particularly challenging, regional integration is the best, perhaps the only, way for Africa to realize its growth potential, participate effectively in the global economy, and share the benefits of globalization (ARIA 2010).

The essential benefit of regional infrastructure is to make possible the formation of large, competitive markets in place of the present collection of small, isolated, and inefficient ones. Shared regional infrastructure is the only solution to problems of small scale and adverse location. An important benefit of regional infrastructure is its effect on trade within Africa. Because, despite robust GDP gains by many countries in recent years, Africa's staggering infrastructure inefficiencies have been choking integration efforts, stunting growth and sapping national resources, public and private. As regional integration improves the competitiveness of African producers and brings millions more consumers within their reach,

Africa will see a swelling of intra- and inter-regional trade as a share of all trade. Regional infrastructure also exploits and advances synergies among sectors.

The Program for Infrastructure Development in Africa (PIDA), a Multi sector program covering four Transport, Energy, Trans-boundary water and Telecommunication/ICT is dedicated to facilitating continental integration in Africa through improved regional infrastructure and is designed to support implementation of the African Union Abuja Treaty and the creation of the African economic Community (ARIA 2010).

PIDA is a joint initiative of the African Union Commission (AUC), the New Partnership for Africa's Development Planning and Coordination Agency (NPCA), and the African Development Bank (AfDB). PIDA is grounded in regional and continental master plans and action plans as well as other relevant work undertaken by the African Union (AU), the regional economic Communities (RECs), the regional and continental technical agencies (including the lake and river basin organizations (L/RBO) and power pools (PP)), and the concerned countries.

At the 18th Ordinary Session of the African Union (AU) held in Addis Ababa, Ethiopia, the AU Heads of State and Government formally endorsed the Program for Infrastructure Development in Africa (PIDA) through adoption of the "Declaration on the Program for Infrastructure Development in Africa" (SIA 2011).

PIDA's overall strategic objective aims at accelerating the regional integration of the continent and facilitating the creation of African Regional Economic Communities as planned by the Abuja Treaty. By improving access to integrated regional and continental infrastructure networks, PIDA will allow countries the primary beneficiaries to meet forecast demand for infrastructure services and boost their competitiveness by:

- Increasing efficiencies
- Accelerating growth
- Facilitating integration in the world economy
- Improving living standards
- Unleashing intra-African trade (ARIA 2011).

6.4 The study's findings

A) Consequently, the study found that the slow progress in the implementation of the Abuja Treaty is attributable to lack of cohesion in the mandate and administration of the AEC program within the AU Commission; divergence of national interests of member states' and the continental program; reliance on RECs as building blocks and; lack of popular participation in the process worsened by lack of complementarities of member states economies which would have been the main catalyst of popular participation have been validated in our findings.

B) The continental integration in Africa managed by the African Union is 'mechanical' intergovernmentalism, being the business of few elites- the representatives of Member States and professional, and executive staff of the African Union Commission who are actively involved in

integration affairs without a collaborative participation of their people (popular participation) in the process.

The people being the 'organic' instruments of universal practice of integration as in the case of EU are alienated, barely fourteen years to the peak of integration process, thus, the supposed completed stage of African Economic Community (AEC) in 2028 that is to usher supranational governance in the continent; when as of the year 2011 only ECOWAS, ECCAS and SADC have established a somewhat free trade areas.

C) Also important, there is structural dysfunction observed with statutory roles performed by departments in the Commission to achieve implementation of integration agendas that have been agreed and ratified by member states. For example, the crust of integration issues is left with the Economic Affairs Department instead of coordination with the Political Affairs Department as if economic activities of integration occur in isolation from political decision, when in fact the latter is the precondition based on ratified cooperation between participating states, even though integration process is economic.

In fact for the first determinant of integration to be successful is political domestication of agreements which must be made in member states' municipal polity in their legislation without arising conflict between regime interest of states and those of the ambitious regional community to occur. On the contrary, the Commission seems to have a scenario where a super-structure is to determine a sub structural course of action, thereby trying to allow for an impossibility, hence failure to make substantial progress on continental integration twenty one years after Abuja Treaty of 1991 and ten years after the launch of AU in 2002; and, about 14 years to the 2028.

However, meetings upon meetings (missions) are ongoing on the lean purse of member states on integration in Africa without glaring results. Also important in evaluating implementation of the AEC Treaty, summary of findings are further made:

1. Continental integration in Africa relies on theoretical assumptions of Functionalism by Mytrany in Moon (1990) and Belassa (1961) of step by step integration process that relies on eight (8) recognized regional economic communities (RECs) is their complexities;
2. However, despite modest achievement of integration at the sub regional level, there is no effective continental free movement, common/single market, monetary and economic union that ought to have been in place between with effect from 2007.
3. Economic integration that starts from policy convergence in domestic politics of states to be handled through coordination between political and economic affairs departments in the AU Commission is solely managed by the Economic Affairs Department, in fact the whole process of continental integration is handled by the latter and this apparently informs the lack of progress of the subject; and
4. As of the year 2011 nine (9) islands of Africa are still under effective control of foreign powers which may threaten continental integration. These islands are The Chagos and St.Helen islands (United Kingdom); The Canary, Ceuta and Melilla islands (Spain); La R'eunion and La Mayotte islands (France); and The Azores and Madeira islands (Portugal).

CHAPTER SEVEN

SUMMARY, CONCLUSION AND RECOMMENDATIONS

7.1 Summary

The African Economic Community (AEC) Treaty, also known as the Abuja Treaty is the second ambitious plan of integrating the African continent after the Lagos Plan of Action in the past four decades since the liberation of most of the African continent from colonialism. The Treaty envisaged a stage-by-stage process of continental integration with sub regional economic communities as building blocks from 1994 to 2028. The strategy follows from Bela Balassa's theorization of integration whose inspiration is drawn from David Myrdal's classic theory of functionalism which set the ball rolling on integration exposition and theorization. Balassa further brings to bear explanation proceeding as a process that proceeds in stages, from low to high levels. The AEC has not been able to attain the lowest level of integration, i.e. continental Free Trade Area, because of different factors. The main factor is the issue of lack of complementarities of the economies of the African states, unable to trade with themselves and effectively to trade in the international market due to over reliance on primary commodity. The study further reveals that the plan of building the AEC on RECs was unique and but, problematic. Its uniqueness lies in the fact that it has not been experimented anywhere in the world. The problematic aspect is the fact that the RECs, after existing for many years, have largely remained ineffectual. They have not been able to transform themselves into cohesive building blocks. In fact, some of them, like the AMU, are moribund.

Moreover, the AU Commission as the principal institution responsible for implementation of the AEC Treaty lacks internal cohesion. The departments lack coordination. People's participation in driving the process is also lacking with age old problem of non-complementarities of member

states, economy which makes the whole process state-centric. Therefore, the lack of progress in the implementation of the Treaty and the integration process is attributable to these multifarious issues.

7.2 Conclusion

The study on the evaluation of the implementation of African Economic Community Treaty and African integration process demonstrates that the slow pace of implementation of the AEC program is largely due to the fact that the African economies lack complementarity. On the other hand, the interplay of dysfunctional operation of the AU Commission vis-à-vis the project; lack of political will on the part of the Member states, and absence of popular participation and pressure contribute to the inability to overcome challenges to the continent's integration process. Within the AU Commission, which is the executive arm of the AU responsible for supranational implementation of the AEC, the Economic Affairs Department is saddled with most of the management of implementation process, understating and underutilizing the role of Political Affairs Department. This lack of political agenda in the coordination of the implementation process contributes to member states' lack of commitment to the economic integration of Africa. The RECs have been unable to establish the veritable building blocks for the AEC. Although they have made some progress at their sub regional level, many of them are still having challenges with implementation of their sub regional programs. Lack of effective popular participation at the level of the RECs has also contributed to the implementation challenges. Therefore, a more political and popular process will assist in the implementation of the AEC program with added value made on the trading commodities as against primary products.

7.3 Recommendations

Given the current status of regional integration process in Africa, some recommendations have been made in this research report, which, if implemented, should address the challenges outlined there from:

1. One significant recommendation is that the success of any integration process depends, to a high degree, on the commitment by Member States to implement agreed decisions, treaties and protocols. Our understanding is that failure by Member States to implement such protocols is partly due to apparent clash between regime interest and those of prospective continental community interest, perhaps not clearly discerned the advantage they could derive from regional integration at the long run. This challenge can better be handled by the Departments of Political Affairs and Economic Affairs through vigorous diplomacy from the Commission. The current stagnant state of affairs in that respect is hampering the integration agenda.

It is also worth emphasizing that the RECs have no better choice on the path of development but to engage amongst themselves in order to share good practices, bearing in mind a broader vision of a continental integration, particularly, on successful peace enforcement experience of ECOMOG in conflict management in Liberia and Sierra Leon to allow for peace and security system, a precondition for effective integration of the AEC.

2. Also important, is to take a leaf from the European experience that emphasized on people driven integration projects since the first phase of their integration practice was the establishment of the ECSC which administered coal and steel affairs by the pioneering-six states (France, Germany, Italy, Luxemburg, Netherland and Belgium) and also their common market to the present EU with supranationalism.

3 Since Africa is endowment in primary products, a worker able integration in the continent can start by supra-national governance on an 'African Primary Products Community (APPC)' to administer regional trade and development that would create and promote complementarities on the economic relations where 50 percent of Africa's primary products in both intra regional and external trade relations enforced. Apart from establishment and management of a continents' common market, the APPC should also handle development of export processing industrialization in order to add value to its products over time in international trade which will also help in industrial development in the continent and also additional value on her natural endowments.

As of 2011, it has been observed that the EU has deepen its integration practice that was first predicated on economic complementarily in the late 1950s to the contemporary level of active popular participation, supra-national governance and autonomy of the Commission, the Court of Justice and the European Parliament which are called the engine of contemporary European integration (Pollack 1997).

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APPENDICES

APPENDIX I

Constitutive Act of the African Union

We, Heads of State and Government of the Member States of the Organization of African Unity (OAU):

1. The President of the People's Democratic Republic of Algeria
2. The President of the Republic of Angola
3. The President of the Republic of Benin
4. The President of the Republic of Botswana
5. The President of Burkina Faso
6. The President of the Republic of Burundi
7. The President of the Republic of Cameroon
8. The President of the Republic of Cape Verde
9. The President of the Central African Republic
10. The President of the Republic of Chad
11. The President of the Islamic Federal Republic of the Comoros
12. The President of the Republic of the Congo
13. The President of the Republic of Côte d'Ivoire
14. The President of the Democratic Republic of Congo
15. The President of the Republic of Djibouti
16. The President of the Arab Republic of Egypt
17. The President of the State of Eritrea
18. The Prime Minister of the Federal Democratic Republic of Ethiopia
19. The President of the Republic of Equatorial Guinea
20. The President of the Gabonese Republic
21. The President of the Republic of The Gambia
22. The President of the Republic of Ghana
23. The President of the Republic of Guinea
24. The President of the Republic of Guinea Bissau
25. The President of the Republic of Kenya
26. The Prime Minister of Lesotho
27. The President of the Republic of Liberia
28. The Leader of the 1st of September Revolution of the Great Socialist People's Libyan Arab Jamahiriya
29. The President of the Republic of Madagascar
30. The President of the Republic of Malawi
31. The President of the Republic of Mali
32. The President of the Islamic Republic of Mauritania
33. The Prime Minister of the Republic of Mauritius
34. The President of the Republic of Mozambique
35. The President of the Republic of Namibia
36. The President of the Republic of Niger

37. The President of the Federal Republic of Nigeria
38. The President of the Republic of Rwanda
39. The President of the Sahrawi Arab Democratic Republic
40. The President of the Republic of Sao Tome and Principe
41. The President of the Republic of Senegal
42. The President of the Republic of Seychelles
43. The President of the Republic of Sierra Leone
44. The President of the Republic of Somalia
45. The President of the Republic of South Africa
46. The President of the Republic of Sudan
47. The King of Swaziland
48. The President of the United Republic of Tanzania
49. The President of the Togolese Republic
50. The President of the Republic of Tunisia
51. The President of the Republic of Uganda
52. The President of the Republic of Zambia
53. The President of the Republic of Zimbabwe

INSPIRED by the noble ideals which guided the founding fathers of our Continental Organization and generations of Pan-Africanists in their determination to promote unity, solidarity, cohesion and cooperation among the peoples of Africa and African States;

CONSIDERING the principles and objectives stated in the Charter of the Organization of African Unity and the Treaty establishing the African Economic Community;

RECALLING the heroic struggles waged by our peoples and our countries for political independence, human dignity and economic emancipation;

CONSIDERING that since its inception, the Organization of African Unity has played a determining and invaluable role in the liberation of the continent, the affirmation of a common identity and the process of attainment of the unity of our Continent and has provided a unique framework for our collective action in Africa and in our relations with the rest of the world;

DETERMINED to take up the multifaceted challenges that confront our continent and peoples in the light of the social, economic and political changes taking place in the world;

CONVINCED of the need to accelerate the process of implementing the Treaty establishing the African Economic Community in order to promote the socio-economic development of Africa and to face more effectively the challenges posed by globalization;

GUIDED by our common vision of a united and strong Africa and by the need to build a partnership between governments and all segments of civil society, in particular women, youth and the private sector in order to strengthen solidarity and cohesion among our peoples;

CONSCIOUS of the fact that the scourge of conflicts in Africa constitutes a major impediment to the socio-economic development of the continent and of the need to promote peace, security and stability as a prerequisite for the implementation of our development and integration agenda;

DETERMINED to promote and protect human and peoples' rights, consolidate democratic institutions and culture, and to ensure good governance and the rule of law;

FURTHER DETERMINED to take all necessary measures to strengthen our common institutions and provide them with the necessary powers and resources to enable them discharge their respective mandates effectively;

RECALLING the Declaration which we adopted at the Fourth Extraordinary Session of our Assembly in Sirte, the Great Socialist People's Libyan Arab Jamahiriya, on 9.9. 99, in which we decided to establish an African Union, in conformity with the ultimate objectives of the Charter of our Continental Organization and the Treaty establishing the African Economic Community;

HAVE AGREED AS FOLLOWS:

Article 1 Definitions

In this Constitutive Act:

"Act" means the present Constitutive Act;

"AEC" means the African Economic Community;

"Assembly" means the Assembly of Heads of State and Government of the Union;

"Charter" means the Charter of the OAU;

"Committee" means a Specialized Technical Committee of the Union;

"Council" means the Economic, Social and Cultural Council of the Union;

"Court " means the Court of Justice of the Union;

"Executive Council" means the Executive Council of Ministers of the Union;

"Member State" means a Member State of the Union;

"OAU" means the Organization of African Unity;

"Parliament" means the Pan-African Parliament of the Union;

'Union" means the African Union established by the present Constitutive Act.

Article 2 Establishment

The African Union is hereby established in accordance with the provisions of this Act.

Article 3 Objectives

The objectives of the Union shall be to:

- a. Achieve greater unity and solidarity between the African countries and the peoples of Africa;
- b. Defend the sovereignty, territorial integrity and independence of its Member States;
- c. Accelerate the political and socio-economic integration of the continent;
- d. Promote and defend African common positions on issues of interest to the continent and its peoples;
- e. Encourage international cooperation, taking due account of the Charter of the United Nations and the Universal Declaration of Human Rights;
- f. Promote peace, security, and stability on the continent;
- g. Promote democratic principles and institutions, popular participation and good governance;
- h. Promote and protect human and peoples' rights in accordance with the African Charter on Human and Peoples' Rights and other relevant human rights instruments;
- i. Establish the necessary conditions which enable the continent to play its rightful role in the global economy and in international negotiations;
- j. Promote sustainable development at the economic, social and cultural levels as well as the integration of African economies;
- k. Promote cooperation in all fields of human activity to raise the living standards of African peoples;
- l. Coordinate and harmonize policies between existing and future Regional Economic Communities for the gradual attainment of the objectives of the Union;

- m. Advance the development of the continent by promoting research in all fields, in particular in science and technology;
- n. Work with relevant international partners in the eradication of preventable diseases and the promotion of good health on the continent.

Article 4 Principles

The Union shall function in accordance with the following principles:

- a. Sovereign equality and interdependence among Member States of the Union;
- b. Respect of borders existing on achievement of independence;
- c. Participation of the African peoples in the activities of the Union;
- d. Establishment of a common defence policy for the African Continent;
- e. Peaceful resolution of conflicts among Member States of the Union through such appropriate means as may be decided upon by the Assembly;
- f. Prohibition of the use of force or threat to use force among Member States of the Union;
- g. Non-interference by any Member State in the internal affairs of another;
- h. The right of the Union to intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely war crimes, genocide and crimes against humanity;
- i. Peaceful co-existence of Member States and their right to live in peace and security;
- j. The right of Member States to request intervention from the Union in order to restore peace and security;
- k. Promotion of self-reliance within the framework of the Union;
- l. Promotion of gender equality;
- m. Respect for democratic principles, human rights, the rule of law and good governance;
- n. Promotion of social justice to ensure balanced economic development;
- o. Respect for the sanctity of human life, condemnation and rejection of impunity and political assassination, acts of terrorism and subversive activities;
- p. Condemnation and rejection of unconstitutional changes of governments.

Article 5
Organs of the Union

1. The organs of the Union shall be:
 - a. The Assembly of the Union;
 - b. The Executive Council;
 - c. The Pan-African Parliament;
 - d. The Court of Justice;
 - e. The Commission;
 - f. The Permanent Representatives Committee;
 - g. The Specialized Technical Committees;
 - h. The Economic, Social and Cultural Council;
 - i. The Financial Institutions;
2. Other organs that the Assembly may decide to establish.

Article 6
The Assembly

1. The Assembly shall be composed of Heads of States and Government or their duly accredited representatives.
2. The Assembly shall be the supreme organ of the Union.
3. The Assembly shall meet at least once a year in ordinary session. At the request of any Member State and on approval by a two-thirds majority of the Member States, the Assembly shall meet in extraordinary session.
4. The Office of the Chairman of the Assembly shall be held for a period of one year by a Head of State or Government elected after consultations among the Member States.

Article 7
Decisions of the Assembly

1. The Assembly shall take its decisions by consensus or, failing which, by a two-thirds majority of the Member States of the Union. However, procedural matters, including the question of whether a matter is one of procedure or not, shall be decided by a simple majority.
2. Two-thirds of the total membership of the Union shall form a quorum at any meeting of the Assembly.

Article 8
Rules of Procedure of the Assembly

The Assembly shall adopt its own Rules of Procedure.

Article 9
Powers and Functions of the Assembly

1. The functions of the Assembly shall be to:
 - a. Determine the common policies of the Union;
 - b. Receive, consider and take decisions on reports and recommendations from the other organs of the Union;
 - c. Consider requests for Membership of the Union;
 - d. Establish any organ of the Union;
 - e. Monitor the implementation of policies and decisions of the Union as well as ensure compliance by all Member States;
 - f. Adopt the budget of the Union;
 - g. Give directives to the Executive Council on the management of conflicts, war and other emergency situations and the restoration of peace;
 - h. Appoint and terminate the appointment of the judges of the Court of Justice;
 - i. Appoint the Chairman of the Commission and his or her deputy or deputies and Commissioners of the Commission and determine their functions and terms of office.
2. The Assembly may delegate any of its powers and functions to any organ of the Union.

Article 10
The Executive Council

1. The Executive Council shall be composed of the Ministers of Foreign Affairs or such other Ministers or Authorities as are designated by the Governments of Member States.
2. Council shall meet at least twice a year in ordinary session. It shall also meet in an extraordinary session at the request of any Member State and upon approval by two-thirds of all Member States.

Article 11
Decisions of the Executive Council

1. The Executive Council shall take its decisions by consensus or, failing which, by a two-thirds majority of the Member States. However, procedural matters, including the question of whether a matter is one of procedure or not, shall be decided by a simple majority.
2. Two-thirds of the total membership of the Union shall form a quorum at any meeting of the Executive Council.

Article 12
Rules of Procedure of the Executive Council

The Executive Council shall adopt its own Rules of Procedure.

Article 13
Functions of the Executive Council

1. The Executive Council shall co-ordinate and take decisions on policies in areas of common interest to the Member States, including the following:
 - a. Foreign trade;
 - b. Energy, industry and mineral resources;
 - c. Food, agricultural and animal resources, livestock production and forestry;
 - d. Water resources and irrigation;
 - e.
 - f. Environmental protection, humanitarian action and disaster response and relief;
 - g. Transport and communications;
 - h. Insurance;
 - i. Education, culture, health and human resources development;
 - j. Science and technology;
 - k. Nationality, residency and immigration matters;
 - l. Social security, including the formulation of mother and child care policies, as well as policies relating to the disabled and the handicapped;
 - m. Establishment of a system of African awards, medals and prizes.

2. The Executive Council shall be responsible to the Assembly. It shall consider issues referred to it and monitor the implementation of policies formulated by the Assembly.
3. The Executive Council may delegate any of its powers and functions mentioned in paragraph 1 of this Article to the Specialized Technical Committees established under Article 14 of this Act.

Article 14
The Specialized Technical Committees
Establishment and Composition

1. There is hereby established the following Specialized Technical Committees, which shall be responsible to the Executive Council:
 - a. The Committee on Rural Economy and Agricultural Matters;
 - b. The Committee on Monetary and Financial Affairs;
 - c. The Committee on Trade, Customs and Immigration Matters;
 - d. The Committee on Industry, Science and Technology, Energy, Natural Resources and Environment;
 - e. The Committee on Transport, Communications and Tourism;
 - f. The Committee on Health, Labour and Social Affairs; and
 - g. The Committee on Education, Culture and Human Resources.
2. The Assembly shall, whenever it deems appropriate, restructure the existing Committees or establish other Committees.
3. The Specialized Technical Committees shall be composed of Ministers or senior officials responsible for sectors falling within their respective areas of competence.

Article 15
Functions of the Specialized Technical Committees

Each Committee shall within its field of competence:

- a. Prepare projects and programs of the Union and submit in to the Executive Council;
- b. Ensure the supervision, follow-up and the evaluation of the implementation of decisions taken by the organs of the Union;

- c. Ensure the coordination and harmonization of projects and programs of the Union;
- d. Submit to the Executive Council either on its own initiative or at the request of the Executive Council, reports and recommendations on the implementation of the provision of this Act; and
- e. Carry out any other functions assigned to it for the purpose of ensuring the implementation of the provisions of this Act.

Article 16 **Meetings**

1. Subject to any directives given by the Executive Council, each Committee shall meet as often as necessary and shall prepare its rules of procedure and submit them to the Executive Council for approval.

Article 17 **The Pan-African Parliament**

1. In order to ensure the full participation of African peoples in the development and economic integration of the continent, a Pan-African Parliament shall be established.
2. The composition, powers, functions and organization of the Pan-African Parliament shall be defined in a protocol relating thereto.

Article 18 **The Court of Justice**

1. A Court of Justice of the Union shall be established;
2. The statute, composition and functions of the Court of Justice shall be defined in a protocol relating thereto.

Article 19 **The Financial Institutions**

The Union shall have the following financial institutions, whose rules and regulations shall be defined in protocols relating thereto:

- a. The African Central Bank;
- b. The African Monetary Fund;
- c. The African Investment Bank.

Article 20
The Commission

1. There shall be established a Commission of the Union, which shall be the Secretariat of the Union.
2. The Commission shall be composed of the Chairman, his or her deputy or deputies and the Commissioners. They shall be assisted by the necessary staff for the smooth functioning of the Commission.
3. The structure, functions and regulations of the Commission shall be determined by the Assembly.

Article 21
The Permanent Representatives Committee

1. There shall be established a Permanent Representatives Committee. It shall be composed of Permanent Representatives to the Union and other Plenipotentiaries of Member States.
2. The Permanent Representatives Committee shall be charged with the responsibility of preparing the work of the Executive Council and acting on the Executive Council's instructions. It may set up such sub-committees or working groups as it may deem necessary.

Article 22
The Economic, Social and Cultural Council

1. The Economic, Social and Cultural Council shall be an advisory organ composed of different social and professional groups of the Member States of the Union.
2. The functions, powers, composition and organization of the Economic, Social and Cultural Council shall be determined by the Assembly.

Article 23
Imposition of Sanctions

1. The Assembly shall determine the appropriate sanctions to be imposed on any Member State that defaults in the payment of its contributions to the budget of the Union in the following manner: denial of the right to speak at meetings, to vote, to present candidates for any position or post within the Union or to benefit from any activity or commitments therefrom.
2. Furthermore, any Member State that fails to comply with the decisions and policies of the Union may be subjected to other sanctions, such as the denial of transport and communications

links with other Member States, and other measures of a political and economic nature to be determined by the Assembly.

Article 24
The Headquarters of the Union

1. The Headquarters of the Union shall be in Addis Ababa in the Federal Democratic Republic of Ethiopia.
2. There may be established such other offices of the Union as the Assembly may, on the recommendation of the Executive Council, determine.

Article 25
Working Languages

The working languages of the Union and all its institutions shall be, if possible, African languages, Arabic, English, French and Portuguese.

Article 26
Interpretation

The Court shall be seized with matters of interpretation arising from the application or implementation of this Act. Pending its establishment, such matters shall be submitted to the Assembly of the Union, which shall decide by a two-thirds majority.

Article 27
Signature, Ratification and Accession

1. This Act shall be open to signature, ratification and accession by the Member States of the OAU in accordance with their respective constitutional procedures.
2. The instruments of ratification shall be deposited with the Secretary-General of the OAU.
3. Any Member State of the OAU acceding to this Act after its entry into force shall deposit the instrument of accession with the Chairman of the Commission.

Article 28
Entry into Force

This Act shall enter into force thirty (30) days after the deposit of the instruments of ratification by two-thirds of the Member States of the OAU.

Article 29
Admission to Membership

1. Any African State may, at any time after the entry into force of this Act, notify the Chairman of the Commission of its intention to accede to this Act and to be admitted as a member of the Union.
2. The Chairman of the Commission shall, upon receipt of such notification, transmit copies thereof to all Member States. Admission shall be decided by a simple majority of the Member States. The decision of each Member State shall be transmitted to the Chairman of the Commission who shall, upon receipt of the required number of votes, communicate the decision to the State concerned.

Article 30
Suspension

Governments which shall come to power through unconstitutional means shall not be allowed to participate in the activities of the Union.

Article 31
Cessation of Membership

1. Any State which desires to renounce its membership shall forward a written notification to the Chairman of the Commission, who shall inform Member States thereof. At the end of one year from the date of such notification, if not withdrawn, the Act shall cease to apply with respect to the renouncing State, which shall thereby cease to belong to the Union.
2. During the period of one year referred to in paragraph 1 of this Article, any Member State wishing to withdraw from the Union shall comply with the provisions of this Act and shall be bound to discharge its obligations under this Act up to the date of its withdrawal.

Article 32
Amendment and Revision

1. Any Member State may submit proposals for the amendment or revision of this Act.
2. Proposals for amendment or revision shall be submitted to the Chairman of the Commission who shall transmit same to Member States within thirty (30) days of receipt thereof.
3. The Assembly, upon the advice of the Executive Council, shall examine these proposals within a period of one year following notification of Member States, in accordance with the provisions of paragraph 2 of this Article.

4. Amendments or revisions shall be adopted by the Assembly by consensus or, failing which, by a two-thirds majority and submitted for ratification by all Member States in accordance with their respective constitutional procedures. They shall enter into force thirty (30) days after the deposit of the instruments of ratification with the Chairman of the Commission by a two-thirds majority of the Member States.

Article 33

Transitional Arrangements and Final Provisions

1. This Act shall replace the Charter of the Organization of African Unity. However, the Charter shall remain operative for a transitional period of one year or such further period as may be determined by the Assembly, following the entry into force of the Act, for the purpose of enabling the OAU/AEC to undertake the necessary measures regarding the devolution of its assets and liabilities to the Union and all matters relating thereto.

2. The provisions of this Act shall take precedence over and supersede any inconsistent or contrary provisions of the Treaty establishing the African Economic Community.

3. Upon the entry into force of this Act, all necessary measures shall be undertaken to implement its provisions and to ensure the establishment of the organs provided for under the Act in accordance with any directives or decisions which may be adopted in this regard by the Parties thereto within the transitional period stipulated above.

4. Pending the establishment of the Commission, the OAU General Secretariat shall be the interim Secretariat of the Union.

5. This Act, drawn up in four (4) original texts in the Arabic, English, French and Portuguese languages, all four (4) being equally authentic, shall be deposited with the Secretary-General of the OAU and, after its entry into force, with the Chairman of the Commission who shall transmit a certified true copy of the Act to the Government of each signatory State. The Secretary-General of the OAU and the Chairman of the Commission shall notify all signatory States of the dates of the deposit of the instruments of ratification or accession and shall upon entry into force of this Act register the same with the Secretariat of the United Nations.

IN WITNESS WHEREOF, WE have adopted this Act.

Done at Lomé, Togo, this 11th day of July, 2000.

Source: African Union, 2011

APPENDIX 2

Instruments of the African Union Integration		
Status List of Treaties, Conventions, Protocols and Charters signed by Member States		
Type	Date of entry into force	
Constitutive Act of the African Union Lome, Togo 11 July 2000	11/07/2000 26/05/2001 07/07/2003	
OAU Charter, Addis Ababa, 25 May 1963 Abrogated & replaced by the Constitutive Act		
General Convention on the Privileges and Immunities of the Organization of African Unity Accra, Ghana, 25 October 1965	25/10/1965	02/02/2010
	25/10/1965	
Additional Protocol to the OAU General Convention on Privileges and immunities Freetown, Sierra Leone, June 1980	June 1980	06/01/2009
Phyto-Sanitary Convention for Africa Kinshasa, Democratic Republic of Congo, 13 September 1967	13/09/1967	06/10/1992
African Convention on the Conservation of Nature and Natural Resources Algiers, Algeria, 15 September 1968	15/09/1968 16/06/1969 02/02/2010	
African Civil Aviation	17/01/1969 15/03/1972 13/05/2010	

Commission Constitution Addis Ababa, Ethiopia,17 January 1969		
AU Convention Governing the Specific Aspects of Refugee Problems in Africa, Addis Ababa, Ethiopia, 10 September 1969	10/09/1969	20/06/1974 01/02/2010
Constitution of the Association of African Trade Promotion Organizations Addis Ababa,Ethiopa, 18 January 1974	18/01/1974	01/02/2010
Inter-African Convention Establishing an African Technical Co-operation Program Kampala, Uganda, 18 August 1975	01/08/1975	01/02/2010
Convention for the Elimination of Mercenarism in Africa, Libreville, Gabon, 3 July 1977	03/07/1977	22/04/1985 01/02/2010
Cultural Charter for Africa Port Louis, Mauritius, 5 July 1976	05/07/1976	19/09/1990 26/09/2007
African Charter on Human and Peoples' Rights Nairobi, Kenya, June 1981	June 1981	21/10/1986 30/08/2005
Agreement for the Establishment of the African Rehabilitation	17 July 1985	02/12/1991 13/04/2010

Institute (ARI) Addis Ababa, Ethiopia , July 1985		
Convention for the Establishment of the African Centre for Fertilizer Development Addis Ababa, Ethiopia, July 1985	July 1985	01/02/2010
African Charter on the Rights and Welfare of the Child Addis Ababa, Ethiopia, July 1990	July 1990	29/11/1999 02/02/2010
Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa, Bamako, Mali, 30 January 1991	January 1991	22/04/1998 02/02/2010
Treaty Establishing the African Economic Community, Abuja, Nigeria, 3 June 1991		03/06/1991 12/05/1994 16/11/2007
African Maritime Transport Charter Tunis, Tunisia, June 1994	11/06/1994	01/02/2010
The African Nuclear- Weapon-Free Zone Treaty(Pelindaba Treaty) Addis Ababa, Ethiopia, July 1995	July 1995	15/07/2009 18/08/2009

Protocol to the African Charter on Human And Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights Ouagadougou, Burkina Faso, 10 June 1998	10/06/1998	25/01/2004	01/02/2010
OAU Convention on the Prevention and Combating of Terrorism Algiers, Algeria, 14 July 1999	July 1999	06/12/2002	01/02/2010
Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament Sirte, Libya, 2 March 2001	02/03/2001	14/12/2003	01/02/2010
The Convention of the African Energy Commission Lusaka, Zambia, 11 July 2001	11/07/2001	13/12/2006	01/02/2010
Protocol Relating to the Establishment of the Peace and Security Council of the African Union Durban, South Africa, 10 July 2002	09/10/2002	26/12/2003	28/07/2008
African Convention on the Conservation of Nature and Natural Resources (Revised Version) Maputo, Mozambique, 11 July 2003	July 2003		01/02/2010

Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa Maputo,Mozambique,11 July 2003	July 2003	25/11/2005 22/07/2010
Protocol of the Court of Justice of the African Union Maputo,Mozambique,11 July 2003	July 2003	11/02/2009 02/02/2010
Protocol on Amendments to the Constitutive Act of the African Union Maputo,Mozambique,11 July 2003	July 2003	02/02/2010
African Union Convention on Preventing and Combating Corruption Maputo,Mozambique,11 July 2003	July 2003	05/08/2006 01/02/2010
Protocol to the OAU Convention on the Prevention and Combating of Terrorism Addis Ababa, Ethiopia, 08 July 2004	July 2004	02/02/2010
The African Union Non-Aggression and Common Defense Pact Abuja, Nigeria, 31 January 2005	January 2005	18/12/2009 23/06/2010
African Youth Charter Adopted by The Seventh Ordinary Session of The Assembly, held In	2 July 2006	08/08/2009 13/04/2010

Banjul, The Gambia On 2 nd July 2006		
African Charter on Democracy, Elections and Governance Adopted by The Eighth Ordinary Session of The Assembly, held In Addis Ababa, Ethiopia On 30th January 2007	30 January 2007	09/07/2010
Charter for African Cultural Renaissance Adopted by The Sixth Ordinary Session of the Assembly, held In Khartoum, Sudan, 24 January 2006	24 January 2006	11/02/2010
Protocol on the Statute of the African Court of Justice and Human Rights Adopted by the Eleventh Ordinary Session of the Assembly, held in Sharm El- Sheikh, Egypt, 1st July 2008	01 July 2008	04/08/2010
Statute of the African Union Commission on International Law Adopted by the 12th Ordinary Session of the Assembly held in Addis Ababa, Ethiopia, 1 - 4 February 2009	04 February 2009	04/02/2009 04/02/2009
African Charter on Statistics Adopted by the twelfth ordinary session of the assembly, held in Addis Ababa, Ethiopia,	List of Countries which have Signed, Ratified/Acceded 04 February 2009	05/08/2010

4th February 2009

Protocol on the African Investment Bank Adopted by the twelfth ordinary session of the assembly, held in Addis Ababa, Ethiopia, 4th February 2009	List of Countries which have Signed, Ratified/Acceded 30 June 2009	09/04/2010
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African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) Adopted by the Special Summit of the Union held in Kampala, Uganda 22-23 October 2009	List of Countries which have Signed, Ratified/Acceded 23/10/2009	24/06/2010
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Constitution for the African Aviation Commission – AFCAC (Revised V	List of Countries which have Signed, Ratified/Acceded 23/10/2009	21/06/2010
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APPENDIX 3

Treaty establishing the African Economic Community (AEC)

Preamble

We, the Heads of State and Government of the Member States of the Organisation of African Unity (OAU);

1. The President of the People's Democratic Republic of Algeria
2. The President of the People's Republic of Angola
3. The President of the Republic of Benin
4. The President of the Republic of Botswana
5. The President of the Republic of Burkina Faso
6. The President of the Republic of Burundi
7. The President of the Republic of Cameroon
8. The President of the Republic of Cape Verde
9. The President of the Central African Republic
10. The President of the Federal Islamic Republic of the Comoros
11. The President of the People's Republic of Congo
12. The President of the Republic of Côte d'Ivoire
13. The President of the Republic of Djibouti
14. The President of the Arab Republic of Egypt
15. The President of the People's Democratic Republic of Ethiopia
16. The President of the Republic of Equatorial Guinea
17. The President of the Republic of Gabon
18. The President of the Republic of the Gambia

19. The President of the Republic of Ghana
20. The President of the Republic of Guinea
21. The President of the Republic of Guinea Bissau
22. The President of the Republic of Kenya
23. The King of Lesotho
24. The President of the Republic of Liberia
25. The Leader of the 1st of September Revolution of the Great Socialist People's Libyan Arab Jamahiriya
26. The President of the Republic of Madagascar
27. The President of the Republic of Malawi
28. The President of the Republic of Mali
29. The President of the Islamic Republic of Mauritania
30. The Prime Minister of the Republic of Mauritius
31. The President of the Republic of Mozambique
32. The President of the Republic of Namibia
33. The President of the Republic of Niger
34. The President of the Federal Republic of Nigeria
35. The President of the Republic of Rwanda
36. The President of Sahrawi Democratic Arab Republic
37. The President of the Republic of Sao Tome and Principe
38. The President of the Republic of Senegal
39. The President of the Republic of Seychelles
40. The President of the Republic of Sierra Leone

41. The President of the Republic of Somalia
42. The President of the Republic of the Sudan
43. The King of Swaziland
44. The President of the United Republic of Tanzania
45. The President of the Republic of Tchad
46. The President of the Republic of Togo
47. The President of the Republic of Tunisia
48. The President of the Republic of Uganda
49. The President of the Republic of Zaire
50. The President of the Republic of Zambia
51. The President of the Republic of Zimbabwe

MINDFUL of the principles of international law governing relations between States;

BEARING IN MIND the principles and objectives set forth in the Charter of the Organisation of African Unity;

CONSCIOUS of our duty to develop and utilise the human and natural resources of the Continent for the general well-being of our peoples in all fields of human endeavour;

RECOGNIZING the various factors which hinder the development of the Continent and seriously jeopardise the future of its peoples;

HAVING REGARD to the various resolutions and declarations adopted by our Assembly in Algiers in September 1968, in Addis Ababa in August 1970 and May 1973 providing that the economic integration of the Continent is a pre-requisite for the realisation of the objectives of the OAU;

HAVING REGARD to our decision taken in Libreville in July 1977 endorsing the Kinshasa Declaration adopted by our Council of Ministers in December 1976 concerning the establishment of an African Economic Community, objective to be attained in successive stages;

CONSIDERING the "Monrovia Declaration of Commitment on the Guidelines and Measures for National and Collective Self-reliance in Economic and Social Development for the Establishment of a New International Order" and which, inter-alia,

calls for the Creation of an African Common Market as a prelude to an African Economic Community;

CONSIDERING FURTHER the Lagos Plan of Action and the Final Act of Lagos of April 1980 reaffirming our Commitment to establish, by the year 2000, an African Economic Community in order to foster the economic, social and cultural integration of our Continent;

FINALLY CONSIDERING our Declaration made on the occasion of the Twenty-fifth Anniversary of the OAU and, in particular, the reaffirmation of our commitment and our determination to take the necessary steps to accelerate the establishment of the proposed African Economic Community;

NOTING that the efforts already made in the sub-regional and regional sectoral economic co-operation are encouraging and justify a larger and fuller economic integration;

NOTING the need to share, in a equitable and just manner, the advantages of co-operation among Member States in order to promote a balanced development in all parts of the Continent;

Have decided to establish an African Economic Community constituting an integral part of the OAU and hereby agree as follows:

Chapter I

Definitions

Article 1

For the purpose of this Treaty

- a. "Treaty" shall mean the present Treaty;
- b. "Protocol" shall mean an instrument of implementation of the Treaty having the same legal force as the latter;
- c. "Community" shall mean the organic structure for economic integration established under Article 2 of this Treaty and constituting an integral part of the OAU;
- d. "Region" shall mean an OAU region as defined by Resolution CM/Res.464 QCXVI of the OAU Council of Ministers concerning the Division of Africa into five (5) regions namely North Africa, West Africa, Central Africa, East Africa and Southern Africa;
- e. "Sub-region" shall mean at least three (3) States of one or more regions as defined in paragraph 1(d) of this Article;

- f. "Member States" shall mean a Member State of the Community;
- g. "Third State" shall mean any State other than a Member State;
- h. "Assembly" shall mean the Assembly of Heads of State and Government of the OAU as provided for in Articles 7 and 8 of this Treaty,
- i. "Council" shall mean the Council of Ministers of the OAU as provided for in Articles 7 and 11 of this Treaty;
- j. "Pan-African Parliament" shall mean the parliamentary assembly established under Articles 7 and 14 of this Treaty;
- k. "Commission" shall mean the Economic and Social Commission of the OAU as provided for under Articles 7 and 15 of this Treaty;
- l. "Committee" shall mean any specialised technical committee established under Articles 7 and 25 of this Treaty or in pursuance thereof;
- m. "Court of Justice" shall mean the Court of Justice of the Community constituted under Articles 7 and 18 of this Treaty;
- n. "Secretariat" shall mean the General Secretariat of the OAU provided for in Articles 7 and 21 of this Treaty;
- o. "Secretary-General" shall mean the Secretary-General of the OAU as provided for in Article 23 of this Treaty;
- p. "Customs Duty" shall mean protective customs duties and charges having equivalent effect, levied on goods for their importation;
- q. "Export Duties and Taxes" shall mean export duties and charges having equivalent effect, levied on goods for their exportation;
- r. "Customs Duties and Taxes" shall mean all duties and taxes as defined in paragraphs (p) and (q) of this Article;
- s. "Non-Tariff Barriers" shall mean barriers which hamper trade and which are caused by obstacles other than fiscal obstacles;
- t. "Intra-Community Trade System" shall mean the system under which advantages are accorded to the goods referred to in Paragraph 1, Article 33 of this Treaty;
- u. "Goods in Transit" shall mean goods being transported between two Member States or between a Member State and a third State and passing through one or more Member States;
- v. "Barter Agreement" or "Compensatory Exchanges" shall mean any agreement

under which goods and services imported into a Member State may be paid for in full or in part by direct exchange of goods and services;

- w. "Fund" shall mean the Solidarity, Development and Compensation Fund of the Community established pursuant to Article 80 of this Treaty; and
- x. "Person" shall mean a natural or legal person.

Chapter II

Establishment, Principles, Objectives, General Undertaking and Modalities

Article 2

Establishment of the Community

THE HIGH CONTRACTING PARTIES hereby establish among themselves an African Economic Community (AEC).

Article 3

Principles

THE HIGH CONTRACTING PARTIES, in pursuit of the objectives stated in Article 4, of this Treaty solemnly affirm and declare their adherence to the following principles:

- a. Equality and inter-dependence of Member States;
- b. Solidarity and collective self-reliance;
- c. Inter-State co-operation, harmonisation of policies and integration of programmes;
- d. Promotion of harmonious development of economic activities among Member States;
- e. Observance of the legal system of the Community;
- f. Peaceful settlement of disputes among Member States, active co-operation between neighbouring countries and promotion of a peaceful environment as a pre-requisite for economic development;
- g. Recognition, promotion and protection of human and peoples' rights in accordance with the provisions of the African Charter on Human and Peoples' Rights; and
- h. Accountability, economic justice and popular participation in development.

Article 4
Objectives

1. The objectives of the Community shall be:
 - a. To promote economic, social and cultural development and the integration of African economies in order to increase economic self-reliance and promote an endogenous and self-sustained development;
 - b. To establish, on a continental scale, a framework for the development, mobilisation and utilisation of the human and material resources of Africa in order to achieve a self-reliant development;
 - c. To promote co-operation in all fields of human endeavour in order to raise the standard of living of African peoples, and maintain and enhance economic stability, foster close and peaceful relations among Member States and contribute to the progress, development and the economic integration of the Continent; and
 - d. To coordinate and harmonize policies among existing and future economic communities in order to foster the gradual establishment of the Community.

2. In order to promote the attainment of the objectives of the Community as set out in paragraph I of this Article, and in accordance with the relevant provisions of this Treaty, the Community shall, by stages, ensure:
 - a. The strengthening of existing regional economic communities and the establishment of other communities where they do not exist;
 - b. The conclusion of agreements aimed at harmonising and co-ordinating policies among existing and future sub-regional and regional economic communities;
 - c. The promotion and strengthening of joint investment programmes in the production and trade of major products and inputs within the framework of collective self-reliance;
 - d. The liberalisation of trade through the abolition, among Member States, of Customs Duties levied on imports and exports and the abolition, among Member States of Non-Tariff Barriers in order to establish a free trade area at the level of each regional economic community;
 - e. The harmonisation of national policies in order to promote Community activities, particularly in the fields of agriculture, industry, transport and communications, energy, natural resources, trade, money and finance, human resources, education, culture, science and technology;
 - f. The adoption of a common trade policy vis-à-vis third States;

- g. The establishment and maintenance of a common external tariff;
- h. The establishment of a common market;
- i. The gradual removal, among Member States, of obstacles to the free movement of persons, goods, services and capital and the right of residence and establishment;
- j. The establishment of a Community Solidarity, Development and Compensation Fund;
- k. The granting of special treatment to Member States classified as least developed countries and the adoption of special measures in favour of land-locked, semi-land-locked and island countries;
- l. The harmonisation and rationalisation of the activities of existing African multinational institutions and the establishment of such institutions, as and when necessary, with a view to their possible transformation into organs of the Community;
- m. The establishment of appropriate organs for trade in agricultural and cultural products, minerals, metals, and manufactured and semi-manufactured goods within the Community;
- n. The establishment of contacts and the promotion of information flow among trading organisations such as State commercial enterprises, export promotion and marketing bodies, chambers of commerce, associations of businessmen, and business and advertising agencies;
- o. The harmonisation and co-ordination of environmental protection policies; and
- p. Any other activity that Member States may decide to undertake jointly with a view to attaining the objectives of the Community.

Article

5

General Undertakings

1. Member States undertake to create favourable conditions for the development of the Community and the attainment of its objectives, particularly by harmonising their strategies and policies. They shall refrain from any unilateral action that may hinder the attainment of the said objectives.

2. Each Member State shall, in accordance with its constitutional procedures, take all necessary measures to ensure the enactment and dissemination of such legislation as may be necessary for the implementation of the provisions of this Treaty.

3. Any Member State, which persistently fails to honour its general undertakings under

this Treaty or fails to abide by the decisions or regulations of the Community, may be subjected to sanctions by the Assembly upon the recommendation of the Council. Such sanctions may include the suspension of the rights and privileges of membership and may be lifted by the Assembly upon the recommendation of the Council.

Article

6

Modalities for the establishment of the Community

1. The Community shall be established gradually in six (6) stages of variable duration over a transitional period not exceeding thirty-four (34) years.

2. At each such stage, specific activities shall be assigned and implemented concurrently as follows:

a. First

Stage:

Strengthening of existing regional economic communities and, within a period not exceeding five (5) years from the date of entry into force of this Treaty, establishing economic communities in regions where they do not exist;

b. Second Stage:

i. At the level of each regional economic community and within a period not exceeding eight (ii) years, stabilising Tariff Barriers and Non-Tariff Barriers, Customs Duties and internal taxes existing at the date of entry into force of this Treaty; there shall also be prepared and adopted studies to determine the time-table for the gradual removal of Tariff Barriers and Non-Tariff Barriers to regional and intra-Community trade and for the gradual harmonisation of Customs Duties in relation to third States;

ii. Strengthening of sectoral integration at the regional and continental levels in all areas of activity particularly in the fields of trade, agriculture, money and finance, transport and communications, industry and energy; and

iii. Co-ordination and harmonisation of activities among the existing and future economic communities.

c. Third

Stage:

At the level of each regional economic community and within a period not exceeding ten (10) years, establishment of a Free Trade Area through the observance of the time-table for the gradual removal of Tariff Barriers and Non-Tariff Barriers to intra-community trade and the establishment of a Customs Union by means of adopting a common external tariff.

d. Fourth Stage:

Within a period not exceeding two (2) years, co-ordination and harmonisation of tariff and non-tariff systems among the various regional economic communities with a view to establishing a Customs Union at the continental level by means of adopting a common external tariff.

e. Fifth Stage:

Within a period not exceeding four (4) years, establishment of an African Common Market through:

- i. The adoption of a common policy in several areas such as agriculture, transport and communications, industry, energy and scientific research;
- ii. The harmonisation of monetary, financial and fiscal policies;
- iii. The application of the principle of free movement of persons as well as the provisions herein regarding the rights of residence and establishment; and
- iv. Constituting the proper resources of the Community as provided for in paragraph 2 of Article 82 of this Treaty.

f. Sixth Stage:

Within a period not exceeding five (5) years:

- i. Consolidation and strengthening of the structure of the African Common Market, through including the free movement of people, goods, capital and services, as well as, the provisions herein regarding the rights of residence and establishment;
- ii. Integration of all the sectors namely economic, political, social and cultural; establishment of a single domestic market and a Pan-African Economic and Monetary Union;
- iii. Implementation of the final stage for the setting up of an African Monetary Union, the establishment of a single African Central Bank and the creation of a single African Currency;
- iv. Implementation of the final stage for the setting up of the structure of the Pan-African Parliament and election of its members by continental universal suffrage;
- v. Implementation of the final stage for the harmonisation and co-ordination process of the activities of regional economic communities;

- vi. Implementation of the final stage for the setting up of the structures of African multi-national enterprises in all sectors; and
- vii. Implementation of the final stage for the setting up of the structures of the executive organs of the Community.
- g. All measures envisaged under this Treaty for the promotion of a harmonious and balanced development among Member States, particularly, those relating to the formulation of multi-national projects and programmes, shall be implemented concurrently within the time period specified for the attainment of the objectives of the various stages outlined in paragraph 2 of this Article.
- h. The transition from one stage to another shall be determined when the specific objectives set in this Treaty or pronounced by the Assembly for a particular stage, are implemented and all commitments fulfilled. The Assembly, on the recommendation of the Council, shall confirm that the objectives to a particular stage have been attained and shall approve the transition to the next stage.
- i. Notwithstanding the provisions of the preceding paragraph, the cumulative transitional period shall not exceed forty (40) years from the date of entry into force of this Treaty.

Chapter

III

Organs of the Community

Article

7

Organs

1. The organs of the Community shall be:

- a. The Assembly of Heads of State and Government;
- b. The Council of Ministers;
- c. The Pan-African Parliament;
- d. The Economic and Social Commission;
- e. The Court of Justice;
- f. The General Secretariat; and
- g. The Specialised Technical Committees.

2. The Organs of the Community shall perform their duties and act within the limits of the powers conferred on them by this Treaty.

Article 8

The Assembly of Heads of State and Government Composition and Powers

1. The Assembly shall be the supreme organ of the Community.

2. The Assembly shall be responsible for implementing the objectives of the

Community.

3. To this end, it shall:

- a. Determine the general policy and major guidelines of the Community, and give directives, coordinate and harmonize the economic, scientific, technical, cultural and social policies of Member States;
- b. Take any action, under this Treaty, to attain the objectives of the Community;
- c. Oversee the functioning of Community organs as well as the follow-up of the implementation of its objectives;
- d. Prepare and adopt its rules of procedure;
- e. Approve the organisational structure of the Secretariat;
- f. Elect the Secretary-General, his Deputies and, on the recommendation of the Council, appoint the Financial Controller, the Accountant and the External Auditors;
- g. Adopt the Staff Rules and Regulations of the Secretariat;
- h. On the recommendation of the Council, take decisions and give directives concerning the regional economic communities in order to ensure the realisation of the objectives of the Community;
- i. On the recommendation of the Council, approve the Community's programme of activity and budget and determine the annual contribution of each Member State;
- j. Delegate to the Council the authority to take decisions in pursuance of Article 10 of this Treaty;
- k. Refer any matter to the Court of Justice when it confirms, by an absolute majority vote, that a Member State or organ of the Community has not honoured any of its obligations or has acted beyond the limits of its authority or has abused the powers conferred on it by the provisions of this Treaty, by a decision of the Assembly or a regulation of the Council;
- l. Request the Court of Justice, as and when necessary, to give advisory opinion on any legal question; and
- m. In carrying out its function hereunder, exercise any other powers granted to it under this Treaty.

4. The Assembly shall be assisted by the Council in the performance of its duties.

Article 9

Meetings

1. The Assembly shall meet once a year in regular session. An extraordinary session may be convened by the Chairman of the Assembly or at the request of a Member State provided that such a request is supported by two-thirds of the members of the Assembly.
2. The office of the chairman shall be held every year by one of the Heads of State and Government elected by the Assembly after consultation among Member States.

Article 10

Decisions

1. The Assembly shall act by decisions.
2. Without prejudice to the provisions of paragraph (5) Article 18, decisions shall be binding on Member States and organs of the Community, as well as regional economic communities.
3. Decision shall be automatically enforceable thirty (30) days after the date of their signature by the Chairman of the Assembly, and shall be published in the official journal of the Community.
4. Unless otherwise provided in this Treaty, decision of the Assembly shall be adopted by consensus, failing that, by a two-thirds majority of Member States.

Article 11

The Council of Ministers Composition, Functions and Powers

1. The Council shall be the Council of Minister of the OAU.
2. The Council shall be responsible for the functioning and development of the Community.
3. To this end, it shall:
 - a. Make recommendations to the Assembly on any action aimed at attaining the objectives of the Community;
 - b. Guide the activities of the subordinate organs of the Community;
 - c. Submit to the Assembly proposals concerning programmes of activity and budget of the Community as well as the annual contribution of each Member State;
 - d. Propose to the Assembly the appointment of the Financial Controller, the Accountant and the External Auditors;

- e. Prepare and adopt its rules of procedure;
- f. Request the Court of Justice, as and when necessary, to give advisory opinion on any legal questions; and
- g. Carry out all other functions assigned thereto under this Treaty and exercise all powers delegated to it by the Assembly.

Article 12

Meetings

1. The Council shall meet twice a year in Ordinary Session. One such Session shall precede the Ordinary Session of the Assembly. An extra-ordinary Session may be convened by the Chairman of the Council or at the request of a Member State provided that such request is supported by two-thirds of the members of the Council.
2. The office of the Chairman of the Council shall be held by the Minister of a Member State elected by the Council after consultations among its members.

Article 13

Regulations

1. The Council shall act by regulations.
2. Without prejudice to the provisions of paragraph (5) of Article 18 of this Treaty, such regulations shall be binding on Member States, subordinate organs of the Community and regional economic communities after their approval by the Assembly. Notwithstanding the foregoing provisions, regulations adopted as aforesaid shall forthwith have a binding effect in the case of delegation of powers by the Assembly pursuant to paragraph 3(j) of Article 8 hereof.
3. Regulations shall be enforceable automatically thirty (30) days after the date of their signature by the Chairman of the Council and shall be published in the official journal of the Community.
4. Unless otherwise provided in this Treaty, regulations shall be adopted by consensus or, failing that, by two-thirds majority of Member States.

Article 14

The Pan-African Parliament

1. In order to ensure that the peoples of Africa are fully involved in the economic development and integration of the Continent, there shall be established a Pan-African Parliament.

2. The composition, functions, powers and organisation of the Pan-African Parliament shall be defined in a Protocol providing thereof.

Article 15

Economic and Social Commission Composition and Participation

1. The Commission shall be the Economic and Social Commission of the OAU.
2. The Commission shall comprise Ministers responsible for economic development, planning and integration of each Member States. They may be assisted, as and when necessary, by other Ministers.
3. Representatives of regional economic communities shall participate in meetings of the Commission and its subsidiary organs.

The modalities and conditions of their participation shall be prescribed in the protocol concerning relations between the Community and African regional and sub-regional organisations and Third States. Representatives of other organisations may also be invited to participate as observers in the deliberations of the Commission.

Article 16

Functions

The Commission shall carry out the following functions:

- a. Prepare, in accordance with the Lagos Plan of Action and the Final Act of Lagos, programmes, policies and strategies for co-operation in the fields of economic and social development among African countries on the one hand, and between Africa and the International community on the other, and make appropriate recommendations to the Assembly, through the Council;
- b. Coordinate, harmonize, supervise and follow-up the economic, social, cultural, scientific and technical activities of the Secretariat, of the Committees and any other subsidiary body;
- c. Examine the reports and recommendations to the Assembly, through the Council, and ensure their follow-up;
- d. Make recommendations to the Assembly, through the Council with a view of co-ordinating and harmonising the activities of the different regional economic communities;
- e. Supervise the preparation of international negotiations, assess the results thereof

and report thereon to the Assembly through the Council; and

- f. Carry out all other functions assigned thereto by the Assembly or the Council.

Article 17

Meetings

1. The Commission shall meet at least once a year in Ordinary Session. It may be convened in extraordinary Session either on its own initiative or at the request of the Assembly or the Council.
2. The Ordinary Session of the Commission shall be held immediately before the Ordinary Session of the Council preceding the Session of the Assembly and at the same venue of such Session.
3. The Commission shall prepare and adopt its rules of procedure.

Article 18

Court of Justice Constitution and Functions

1. A Court of Justice of the Community is hereby constituted.
2. The Court of Justice shall ensure the adherence to law in the interpretation and application of this Treaty and shall decide on disputes submitted thereto pursuant to this Treaty
3. To this end, it shall:
 - a. Decide on actions brought by a Member State or the Assembly on grounds of the violation of the provisions of this Treaty, or of a decision or a regulation or on grounds of lack of competence or abuse of powers by an organ, an authority or a Member State; and
 - b. At the request of the Assembly or Council, give advisory opinion.
4. The Assembly may confer on the Court of Justice the power to assume jurisdiction by virtue of this Treaty over any dispute other than those referred to in paragraph 3(a) of this Article.
5. The Court of Justice shall carry out the functions assigned to it independently of the Member States and the other organs of the Community.

Article 19*Decisions of the Court*

The Decisions of the Court of Justice shall be binding on Member States and organs of the Community.

Article 20*Organisation*

The statutes, membership, procedures, and other matters relating to the Court of Justice shall be determined by the Assembly in a protocol relating to the Court of Justice.

Article 21*Composition General Secretariat*

1. The Secretariat shall be the General Secretariat of the OAU.
2. The Secretariat shall be headed by the Secretary-General assisted by the necessary staff for the smooth functioning of the Community.

Article 22*Functions of the Secretary-General*

1. The Secretary-General shall direct the activities of the Secretariat and shall be its legal representative.
2. The Secretary-General shall:
 - a. Follow up and ensure the implementation of the decisions of the Assembly and the application of the regulations of the Council;
 - b. Promote development programmes as well as projects of the Community;
 - c. Prepare proposals concerning the programme of activity and budget of the Community and upon their approval by the Assembly ensure the implementation thereof;
 - d. Submit a report on the activities of the Community to all meetings of the Assembly, the Council and the Commission;
 - e. Prepare and service meetings of the Assembly, the Council, the Commission and the Committees;
 - f. Carry out studies with a view to attaining the objectives of the Community and make proposals likely to enhance the functioning and harmonious development

of the Community.

To this end, the Secretary-General may request any Member State to furnish him with all necessary information; and

- g. Recruit the staff of the Community and make appointments to all posts except those referred to in paragraph 3(f) of Article 8 of this Treaty.

Article 23

Appointments

1. The Secretary-General and his assistants shall be elected by the Assembly in accordance with the relevant provisions of the OAU Charter and the rules of procedure of the Assembly.
2. The Financial Controller and the Accountant shall be appointed by the Assembly for a term of four (4) years renewable once only.
3. In the appointment of the staff of the Community, and in addition to the need to ensure high integrity and competence, consideration shall be given to equitable geographical distribution of posts among all Member States.

Article 24

Relations between the Staff of the Community and Member States

1. In the performance of their duties, the Secretary-General and his Assistants, the Financial Controller, the Accountant and the staff of the Community shall be accountable only to the Community. In this regard, they shall neither seek nor accept instructions from any Government or any national or international authority external to the Community. They shall refrain from any conduct incompatible with the nature of their status as international officers.
2. Every Member State undertakes to respect the international character of the duties of the Secretary-General, his Assistants, the Financial Controller, the Accountant and other officers of the Community and undertakes not to influence them in the performance of their duties.
3. Member States undertake to cooperate with the Secretariat and other organs of the Community and to assist them in the discharge of the functions assigned thereto under this Treaty.

Article 25

Specialised Technical Committees Establishment and Composition

1. There is hereby established the following Committees:
 - a. The Committee on Rural Economy and Agricultural Matters;
 - b. The Committee on Monetary and Financial Affairs;
 - c. The Committee on Trade, Customs and Immigration Matters;
 - d. The Committee on Industry, Science and Technology, Energy, Natural Resources and Environment;
 - e. The Committee on Transport, Communications and Tourism;
 - f. The Committee on Health, Labour and Social Affairs; and
 - g. The Committee on Education, Culture and Human Resources
2. The Assembly shall, whenever it deems appropriate, restructure the existing Committees or establish other Committees.
3. Each Committee shall comprise a representative of each Member State. The representatives may be assisted by advisors.
4. Each Committee may, as it deems it necessary, set up subsidiary committees to assist the Committee in carrying out its work. It shall determine the composition of any such subsidiary Committee.

Article 26

Functions

Each Committee shall within its field of competence:

- a. Prepare projects and programmes of the Community and submit them to the Commission;
- b. Ensure the supervision, follow-up and the evaluation of the implementation of decisions taken by the organs of the Community;
- c. Ensure the co-ordination and harmonisation of projects and programmes of the

Community;

- d. Submit to the Commission, either on its own initiative or at the request of the Commission, reports and recommendations on the implementation of the provisions of this Treaty; and
- e. Carry out any other functions assigned to it for the purpose of ensuring the implementation of the provisions of this Treaty.

Article 27

Meetings

1. Subject to any directives given by the Commission, each Committee shall meet as often as necessary and shall prepare its rules of procedure and submit them to the Commission for approval.

Chapter IV

Regional Economic Communities

Article 28

Strengthening of Regional Economic Communities

1. During the first stage, Member States undertake to strengthen the existing regional economic communities and to establish new communities where they do not exist in order to ensure the gradual establishment of the Community.
2. Member States shall take all necessary measures aimed at progressively promoting increasingly closer co-operation among the communities, particularly through co-ordination and harmonisation of their activities in all fields or sectors in order to ensure the realisation of the objectives of the Community.

Chapter V

Customs Union and Liberalisation of Trade

Article 29

Customs Union

Member States of each regional economic community agree to progressively establish among them during a transitional period specified in Article 6 of this Treaty, a Customs Union involving:

- a. The elimination, among Members States of each regional economic community,

of customs duties, quota restrictions, other restrictions or prohibitions and administrative trade barriers, as well as all other non-tariff barriers; and

- b. The adoption by Member States of a common external customs tariff.

Article 30

Elimination of Customs Duties Among Member States of Regional Economic Communities

1. During the second stage, Member States of each regional economic community shall refrain from establishing among themselves any new customs duties and from increasing those that apply in their mutual trade relations.
2. During the third stage, Member States shall progressively reduce and eliminate finally among themselves, at the level of each regional economic community, customs duties in accordance with such programme and modalities as shall be determined by each regional economic community.
3. During each stage, the Assembly, on the recommendation of the Council, shall take the necessary measures with a view to co-ordinating and harmonising the activities of the regional economic communities relating to the elimination of customs duties among Member States.

Article 31

Elimination of Non-Tariff Barriers to Intra-Community Trade

1. At the level of each regional economic community and subject to the provisions of the Treaty, each Member State shall, upon the entry into force of this Treaty, progressively relax and ultimately remove quota restrictions, and all other non-tariff barriers and prohibitions which apply to exports to that State, of goods originating in the other Member States, at the latest, by the end of the third stage and in accordance with paragraph (2) of this Article. Except as otherwise provided or permitted by this Treaty, each Member State shall thereafter refrain from imposing any further restrictions or prohibitions on such goods.
2. Subject to the provisions of this Treaty, each regional economic community shall adopt a programme for the progressive relaxation and ultimate elimination, at the latest by the end of the third stage, of all quota restrictions and prohibitions and all other non-tariff barriers that apply in a Member State, to imports originating in the other Member States; it being understood that each regional economic community may subsequently decide that all quota restrictions, other restrictions and prohibitions be relaxed or removed within a shorter period than that prescribed in this paragraph.
3. The arrangements governing restrictions, prohibitions, quota restrictions, dumping subsidies and discriminatory practices shall be the subject of a Protocol concerning Non-

Tariff Trade Barriers

Article 32

Establishment of a Common External Customs Tariff

1. During the third stage, Member States shall, at the level of each regional economic community, agree to the gradual establishment of a common external customs tariff applicable to goods originating from third States and imported into Member States.
2. During the fourth stage, regional economic communities shall, in accordance with a programme drawn up by them, eliminate differences between their respective external customs tariffs.
3. During the fourth stage the Council shall propose to the Assembly the adoption, at Community level, of a common customs and statistical nomenclature for all Member States.

Article 33

System of Intra-Community Trade

1. At the end of the third stage, no Member State shall, at the level of each regional economic community, levy customs duties on goods originating in one Member State and imported into another Member State. The same prohibition shall apply to goods originating from third States which are in free circulation in Member States and are imported from one Member State into another.
2. The definition of the notion of products originating in Member States and the rules governing goods originating in a third States and which are in free circulation in Member States shall be governed by a Protocol concerning the Rules of Origin.
3. Goods originating from third States shall be considered to be in free circulation in a Member State if (i) the import formalities relating thereto have been complied with, (ii) customs duties have been paid thereon in that Member State, and (iii) they have not benefited from a partial or total exemption from such customs duties.
4. Member States undertake not to adopt legislation implying direct or indirect discrimination against identical or similar products originating from another Member State.

Article 34

Internal Taxes

1. During the third stage, Member States shall not levy, directly or indirectly on goods originating from Member State and imported into any Member State, internal taxes in

excess of those levied on similar domestic products.

2. Member States, at the level of each regional economic community, shall progressively eliminate any internal taxes levied for the protection of domestic products. Whereby virtue of obligations assumed under a prior agreement signed by a Member State, that Member State is unable to comply with this Article, it shall notify the Council of this fact and shall not extend or renew such agreement when it expires.

Article 35

Exceptions and Safeguard Clauses

1. Notwithstanding the provisions of Articles 30 and 31 of this Treaty, any Member State, having made its intention known to the Secretariat of the Community which shall inform Member States thereof, may impose or continue to impose restrictions or prohibitions affecting:

- a. The application of security laws and regulations;
- b. The control of arms, ammunitions and other military items and equipment;
- c. The protection of human, animal or plant health or life, or the protection of public morality;
- d. Export of strategic minerals and precious stones;
- e. The protection of national treasures of artistic or archaeological value or the protection of industrial, commercial and intellectual property;
- f. The control of hazardous wastes, nuclear materials, radio-active products or any other material used in the development or exploitation of nuclear energy;
- g. Protection of infant industries;
- h. The control of strategic product; and
- i. Goods imported from a third country to which a Member State applies total prohibition relating to country of origin.

2. The prohibitions or restrictions referred to in paragraph 1 of this Article shall in no case be used as a means of arbitrary discrimination or a disguised restriction on trade between Member States.

3. Where a Member State encounters balance-of-payments difficulties arising from the application of the provisions of this Chapter, that Member State may be allowed by the competent organ of the Community, provided that it has taken all appropriate reasonable steps to overcome the difficulties, to impose, for the sole purpose of overcoming such difficulties, quantitative or similar restrictions or prohibitions on goods originating in the

other Member States for such period as shall be determined by the competent organ of the Community.

4. For the purpose of protecting an infant or strategic industry, a Member State may be allowed by the competent organ of the Community, provided it has taken all appropriate reasonable steps to protect such industry, to impose, for the sole purpose of protecting such industry, quantitative or similar restrictions or prohibitions, on similar goods originating in the other Member States for such period as shall be determined by the competent organ of the Community.

5. Where the imports of a particular product by a Member State from another Member State increase in a way that causes, or is likely to cause, serious damage to the economy of the importing states. The latter may be allowed by the competent organ of the Community to apply safeguard measures for a specified period.

6. The Council shall keep under regular review the operation of any quantitative or similar restrictions or prohibitions imposed pursuant to paragraphs 13, and 4 of this Article and shall take appropriate action in this connection. It shall submit, each year, to the Assembly, a report on the aforementioned matters.

Article 36

Dumping

1. Member States shall prohibit the practice of "dumping" within the Community.

2. For the purposes of this Article, "dumping" shall mean the transfer of goods originating from a Member State to another Member State for them to be sold:

- a. At a price lower than the usual price offered for similar goods in the Member State from which those goods originate, due account being taken of the differences in conditions of sale, taxation, transport expenses and any other factor affecting the comparison of prices;
- b. In conditions likely to prejudice the manufacture of similar goods in the Member State.

Article 37

Most Favoured Nation Treatment

1. Member States shall accord one another, in relation to intra-community trade, the most-favoured-nation treatment. In no case shall tariff concessions granted to a third State pursuant to an agreement with a Member State be more favourable than those applicable pursuant of this Treaty.

2. The text of the agreements referred to in paragraph 1 of this Article shall be forwarded by the Member States parties thereto, through the Secretary-General, to all the other Member States for their information.

3. No agreement between a Member State and a third State, under which tariff concessions are granted, shall be incompatible with the obligations arising out of this Treaty.

Article 38

Re-export of Goods and Intra-Community Transit Facilities

1. During the third stage, Member States shall facilitate the re-export of goods among them in accordance with the Protocol concerning the Re-export of Goods.

2. Member States shall grant one another freedom of transit through their territories to goods proceeding to or coming from another Member State in accordance with the Protocol concerning Intra-Community Transit and Transit Facilities and in accordance with the provisions of any Intra-Community Agreements to be concluded.

Article 39

Customs Co-operation and Administration

Member States shall, in accordance with the Protocol concerning Customs Co-operation, take all necessary measures for harmonising and standardising their customs regulations and procedures in such a manner as shall be appropriate for ensuring the effective implementation of the provisions of this Chapter and facilitating the movement of goods and services across their frontiers.

Article 40

Trade Documents and Procedures

For the purpose of facilitating intra-community trade in goods and services, Member States shall simplify and harmonize their trade documents and procedures in accordance with the Protocol concerning Simplification and Harmonisation of Trade documents and Procedures.

Article 41

Diversion of Trade Arising from Barter or Compensatory Exchange Agreement

1. If, as a result of a barter or compensatory exchange agreement relating to a specific category of goods concluded between a Member State or a person of the said Member State, on the one hand, and a third State or person of the said third State, on the other, there is substantial diversion of trade in favour of goods imported under such agreement and to the detriment of similar goods of the same category imported from and manufactured in any other Member State, the Member State importing such goods shall

take effective steps to correct the diversion.

2. In order to determine whether a diversion of trade has occurred in a specific category of goods within the meaning of this Article, consideration shall be given to all the relevant trade statistics and other data available on such category of goods for the six-month period preceding a complaint from an affected Member State concerning diversion of trade, and for an average of two comparable six-month periods during the twenty-four (24) months preceding the first importation of goods under the barter agreement or compensatory exchange agreement.

3. The Secretary-General shall refer the matter to the Council for consideration and submission to the Assembly for decision.

Article 42 *Trade Promotion*

1. In order to attain the objectives of the Community set out in sub-paragraph 2 (m) Article 4 of this Treaty, Member States agree to undertake the trade promotion activities stated below in the following areas:

a. Intra-Community Trade

- i. Promote the use of the Community's local materials, intermediate goods and inputs, as well as finished products originating within the Community;
- ii. Adopt the "All-Africa Trade Fair of the OAU", as an instrument of the Community trade promotion;
- iii. Participate in the periodic fairs organised under the auspices of the "All-Africa Trade Fair of the OAU", sectoral trade fairs, regional trade fairs and other trade promotion activities of the Community;
- iv. Develop an intra-community trade information network, linking the computerised trade information systems of existing and future regional economic communities and individual Member States of the Community;
and
- v. With the assistance of the Secretariat, study the supply and demand patterns in Member States and disseminate the findings thereon within the Community.

b. South-South Trade

- i. Promote the diversification of Africa's markets, and the marketing of Community products;

- ii. Participate in extra-community trade fairs, in particular, within the context of South-South Co-operation; and
 - iii. Participate in extra-community trade and investment fora.
- c. North-South Trade
- i. Promote better terms of trade for African commodities and improve market access for Community products;
 - ii. Participate as a group in international negotiations within the framework of GATT and UNCTAD and other trade-related negotiating fora.
2. The modalities of organising trade promotion activities and trade information systems of the Community shall be governed by a Protocol concerning Trade Promotion.

Chapter VI

Free Movement of Persons, Rights of Residence and Establishment

Article 43

General Provisions

1. Member States agree to adopt, individually, at bilateral or regional levels, the necessary measures, in order to achieve progressively the free movement of persons, and to ensure the enjoyment of the right of residence and the right of establishment by their nationals within the Community.
2. For this purpose, Member States agree to conclude a Protocol on the Free Movement of Persons, Right of Residence and Right of Establishment.

Chapter VII

Money, Finance and Payments

Article 44

Monetary, Financial and Payment Policies

1. In accordance with the relevant Protocols, Member States shall, within a time-table to be determined by the Assembly, harmonize their monetary, financial and payments policies, in order to boost intra-community trade in goods and services, to further the attainment of objectives of the Community and to enhance monetary and financial co-operation among Member States.
2. To this end, Member States shall:
- a. Use their national currencies in the settlement of commercial and financial

- transactions in order to reduce the use of external currencies in such transactions;
- b. Establish appropriate mechanisms for setting up multilateral payments systems;
 - c. Consult regularly among themselves on monetary and financial matters;
 - d. Promote the creation of national, regional and sub-regional money markets, through the co-ordinated establishment of stock exchanges and harmonising legal texts regulating existing stock exchanges with a view to making them more effective.
 - e. Cooperate in an effective manner in the fields of insurance and banking;
 - f. Further the liberalisation of payments and the elimination of payment restrictions, if any, among them and promote the integration of all existing payments and clearing mechanisms among the different regions into an African Clearing and Payments House; and
 - g. Establish an African Monetary Union through the harmonisation of regional monetary zones.

Article 45

Movement of Capital

1. Member States shall ensure the free movement of capital within the Community through the elimination of restrictions on the transfer of capital funds between Member States in accordance with a timetable to be determined by the Council.
2. The capital referred to in paragraph 1 of this Article is that of Member States or persons of Member States.
3. The Assembly, having regard to the development objectives of national, regional and continental plans, and upon the recommendation of the Commission and after the approval of the Council acting on the recommendation of the Commission, shall prescribe the conditions for the movement within the Community of the capital funds other than those referred to in paragraph (2) of this Article.
4. For the purpose of regulating the movement of capital between Member States and Third States, the Assembly, upon the approval of the Council, acting on the recommendation of the Commission, shall take steps aimed at co-ordinating progressively the national and regional exchange control policies.

Chapter VIII
Food and Agriculture

Article 46
Agricultural Development and Food Production

1. Member States shall cooperate in the development of agriculture, forestry, livestock and fisheries in order to:
 - a. Ensure food security;
 - b. Increase production and productivity in agriculture, livestock, fisheries and forestry, and improve conditions of work and generate employment opportunities in rural areas;
 - c. Enhance agricultural production through processing locally animal and plant products; and
 - d. Protect the prices of export commodities on the international market by means of establishing an African Commodity Exchange.

2. To this end, and in order to promote the integration of production structures, Member States shall cooperate in the following fields:
 - a. The production of agricultural inputs, fertilisers, pesticides, selected seeds, agricultural machinery and equipment and veterinary products;
 - b. The development of river and lake basins;
 - c. The development and protection of marine and fishery resources;
 - d. Plant and animal protection;
 - e. The harmonisation of agricultural development strategies and policies at regional and Community levels, in particular, in so far as they relate to production, trade and marketing of major agricultural products and inputs; and
 - f. The harmonisation of food security policies in order to ensure:
 - i. The reduction of losses in food production;
 - ii. The strengthening of existing institutions for the management of natural calamities, agricultural diseases and pest control;
 - iii. The conclusion of agreements on food security at the regional and continental levels;

- iv. The provision of food aid to Member States in the event of serious food shortage; and
- v. The protection of regional and continental markets primarily for the benefit of African agricultural products.

Article 47

Protocol on Food and Agriculture

For purposes of this Chapter, Member States shall cooperate in accordance with the provisions of the Protocol on Food and Agriculture.

Chapter IX

Industry, Science, Technology, Energy, Natural Resources and Environment

Article 48

Industry

1. For the purpose of promoting industrial development of Member States and integrating their economies, Member States shall within the Community harmonize their industrialisation policies.

2. In this connection, Member States shall:

- a. Strengthen the industrial base of the Community, in order to modernize the priority sectors and foster self-sustained and self-reliant development;
- b. Promote joint industrial development projects at regional and Community levels, as well as the creation of African multinational enterprises in priority industrial sub-sectors likely to contribute to the development of agriculture, transport and communications, natural resources and energy.

Article 49

Industrial Development

In order to create a solid basis for industrialisation and promote collective self-reliance, Member States shall:

- a. Ensure the development of the following basic industries essential for collective self-reliance and the modernisation of priority sectors of the economy:
 - i. Food and agro-based industries;
 - ii. Building and construction industries;

- iii. Metallurgical industries;
 - iv. Mechanical industries;
 - v. Electrical and electronics industries;
 - vi. Chemical and petro-chemical industries;
 - vii. Forestry industries;
 - viii. Energy industries;
 - ix. Textile and leather industries;
 - x. Transport and communications industries; and
 - xi. Biotechnology industries;
- b. Ensure the promotion of small-scale industries with a view to enhancing the generation of employment opportunities in Member States;
 - c. Promote intermediate industries that have strong linkages to the economy in order to increase the local component of industrial output within the Community;
 - d. Prepare master plans at regional and Community levels for the establishment of African multinational industries particularly those whose construction cost and volumes of production exceed national financial and absorptive capacities;
 - e. Strengthen and establish, where they do not exist, specialised institutions for the financing of African multinational industrial projects;
 - f. Facilitate the establishment of African multinational enterprises and encourage and give financial and technical support to African entrepreneurs;
 - g. Promote the sale and consumption of strategic industrial products manufactured in Member States;
 - h. Promote technical co-operation and the exchange of experience in the field of industrial technology and implement technical training programmes among Member States;
 - i. Strengthen the existing multinational institutions, particularly, the African Regional Centre for Technology, the African Regional Centre for Design and Manufacture and the African Industrial Development Fund;
 - j. Establish a data and statistical information base to serve industrial development at the regional and continental levels;

- k. Promote South-South and North-South co-operation for the attainment of industrialisation objectives in Africa;
- l. Promote industrial specialisation in order to enhance the complementarity of African economies and expand the intra-Community trade base, due account being taken of national and regional resource endowments; and
- m. Adopt common standards and appropriate quality control systems, which are crucial to industrial co-operation and integration.

Article 50

Protocol on Industry

For the purposes of Articles 48 and 49 of this Treaty, Member States agree to cooperate in accordance with the provisions of the Protocol on Industry.

Article 51

Science and Technology

1. Member States shall:

- a. Strengthen scientific and technological capabilities in order to bring about the socio-economic transformation required to improve the quality of life of their population, particularly that of the rural populations;
- b. Ensure the proper application of science and technology to the development of agriculture, transport and communications, industry, health and hygiene, energy, education and manpower and the conservation of the environment;
- c. Reduce their dependence and promote their individual and collective technological self-reliance;
- d. Cooperate in the development, acquisition and dissemination of appropriate technologies; and
- e. Strengthen existing scientific research institutions and, where they do not exist, establish new institutions.

2. In the context of co-operation in this field, Member States shall:

- a. Harmonize, at the Community level, their national policies on scientific and technological research with a view to facilitating their integration into the national economic and social development plans;
- b. Coordinate their programmes in applied research, research for development and scientific and technological services;

- c. Harmonize their national technological development plans by placing special emphasis on local technologies as well as their regulations on industrial property and transfer of technology;
- d. Coordinate their positions on all scientific and technical questions forming the subject of international negotiations;
- e. Carry out a permanent exchange of information and documentation and establish community data networks and data banks;
- f. Develop joint programmes for training scientific and technological cadres, including the training and further training of skilled manpower;
- g. Promote exchanges of researchers and specialists among Member States in order to make full use of the technical skills available within the Community; and
- h. Revise the educational systems in order to better educational, scientific and technical training to the specific developmental needs of the African environment.

Article 52

Scientific Research and Technological Programmes

Member States shall take all necessary measures to prepare and implement joint scientific research and technological development programmes.

Article 53

Protocol on Science and Technology

For the purposes of Articles 51 and 52 of this Treaty, Member States agree to cooperate in accordance with the provisions of the Protocol on Science and Technology.

Article 54

Energy and Natural Resources

1. Member States shall coordinate and harmonize their policies and programmes in the field of energy and natural resources.
2. To this end, they shall:
 - a. Ensure the effective development of the continent's energy and natural resources;
 - b. Establish appropriate co-operation mechanisms with a view to ensuring a regular supply of hydrocarbons;
 - c. Promote the development of new and renewable energy in the framework of the

- policy of diversification of sources of energy;
- d. Harmonize their national energy development plans;
 - e. Articulate a common energy policy, particularly, in the field of research, exploitation, production and distribution;
 - f. Establish an adequate mechanism of concerted action and co-ordination for the collective solution of the energy development problems within the Community, particularly, those relating to energy transmission, the shortage of skilled technicians and financial resources for the implementation of energy projects of Member States; and
 - g. Promote the continuous training of skilled manpower.

Article 55

Energy

1. Member States shall cooperate in the following fields:
 - a. Mineral and water resources;
 - b. Nuclear energy;
 - c. New and renewable energy.
2. They shall further:
 - a. Seek better knowledge and undertake an assessment of their natural resources potential;
 - b. Reduce progressively their dependence on transnational enterprises in the development of such resources, particularly through mastering exploration techniques; and
 - c. Improve methods of pricing and marketing raw materials.

Article 56

Natural Resources

In order to promote co-operation in the area of natural resources and energy, Member States shall:

- a. Exchange information on the prospection, mapping, production and processing of mineral resources, as well as on the prospection, exploitation and distribution of water resources;
- b. Coordinate their programmes for development and utilisation of mineral and

water resources;

- c. Promote vertical and horizontal inter-industrial relationships, which may be established among Member States in the course of developing such resources;
- d. Coordinate their positions in all international negotiations on raw materials;
- e. Develop a system of transfer of know-how and exchange of scientific, technical and economic data in remote sensing among Member States; and
- f. Prepare and implement joint training and further training programmes for cadres in order to develop the human resources and the appropriate local technological capabilities required for the exploration, exploitation and processing of mineral and water resources.

Article 57

Protocol on Energy and Natural Resources

For the purposes of Articles 54, 55 and 56 of this Treaty, Member States shall cooperate in accordance with the provisions of the Protocol on Energy and Natural Resources.

Article 58

Environment

1. Member States undertake to promote a healthy environment. To this end, they shall adopt national, regional and continental policies, strategies and programmes and establish appropriate institutions for the protection and enhancement of the environment.
2. For the purposes of this paragraph 1 of this Article, Member States shall take the necessary measures to accelerate the reform and innovation process leading to ecologically rational, economically sound and socially acceptable development policies and programmes.

Article 59

Control of Hazardous Wastes

Member States undertake, individually and collectively, to take every appropriate step to ban the importation and dumping of hazardous wastes in their respective territories. They further undertake to cooperate in the transboundary movement, management and processing of such wastes produced in Africa.

Article 60

Protocol on the Environment

For the purposes of Articles 58 and 59 of this Treaty, Member States shall cooperate in

accordance with the provisions of the Protocol on the Environment.

Appendix 4



DEPARTMENT OF POLITICAL SCIENCE AHMADU BELLO UNIVERSITY ZARIA - NIGERIA

Acting Vice Chancellor: Professor Abdul-Mustapha B.Sc. (Hons: Pharm (ABU), Ph.D. London),FPSN

Telephone: 069-550524
Telegram: UNIBELLO

Head of Department: Dr. Umar Mohammed Ka'oje, B.sc., M.sc.,
PH.D. (ABU)

Fax: 069

PS/ADM/33

22 March, 2010

TO WHOM IT MAY CONCERN

UMAR, DAHIRU JONGUR -- Ph.D/Soc.Sci/05680/2008--2009

This is to certify that the above named person is a bonafide Postgraduate student in this Department, undergoing his research which forms part of the requirements for the award of Ph.D in Political Science following the completion of course work. He will be required to undertake field survey research in Addis Ababa, Republic of Ethiopia – The African Union Commission and United Nations Economic Commission for Africa. His Thesis topic is: **A STUDY OF AFRICAN UNION REGIONAL INTEGRATION (2002-2009).**

Please, grant him necessary assistance to enable him accomplish the goal of his research work.

Thank you.

Yours sincerely,

Major Supervisor: Prof. P.P. Izah

Minor Supervisor (1) Dr. Sabo Bako

Minor Supervisor (2) Dr. M. Faal

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.....
.....

Appendix 5



DEPARTMENT OF POLITICAL SCIENCE AHMADU BELLO UNIVERSITY ZARIA--NIGERIA

Vice Chancellor: **Professor Abdullahi Mustapha**, B.Sc.(Hons) Pharm.(ABU), Ph.D (London), FPSN

GSM Nos: 08039368145, 08024978427

Head of Department: **Dr. Umar Mohammed Ka'oje**, B.Sc., M.Sc., Ph.D (ABU)

Telegram: UNIBELLO

Fax: 069

14th June, 2010

The Executive Director,
United Nations Economic Commission for Africa,
Addis Ababa, Ethiopia.

Dear Sir,

REQUEST FOR LETTER OF INVITATION

UMAR, DAHIRU JONGUR – Ph.D/SOC-SCI/05680/2008-09 is a bonafide postgraduate student of this Department, undergoing systematic survey technique research (questionnaire and interview) which forms part of the requirements for the award of Ph.D degree in Political Science. He will be required to undertake field survey with your Commission in Addis Ababa. The topic of his thesis is “AN ASSESSMENT OF AFRICAN UNION REGIONAL INTEGRATION” (2002 – 2010). Please grant him a letter of invitation to enable him secure visa.

Thank you for the anticipated cooperation.

Yours sincerely,

HEAD OF DEPT.
14 JUN 2010
Dept. of Political Science
Ahmadu Bello University, Zaria

Dr. Umar M. Ka'oje
Head of Department.

Appendix 6



DEPARTMENT OF POLITICAL SCIENCE AHMADU BELLO UNIVERSITY ZARIA--NIGERIA

Vice Chancellor: **Professor Abdullahi Mustapha**, B.Sc.(Hons) Pharm.(ABU), Ph.D (London), FPSN

GSM Nos: 08039368145, 08024978427

Head of Department: **Dr. Umar Mohammed Ka'oje**, B.Sc., M.Sc., Ph.D (ABU)

Telegram: UNIBELLO

Fax: 069

7 July, 2010

The Director,
Human Resources,
African Union Commission,
Addis Ababa- Ethiopia.

Sir,

RECOMMENDATION FOR PhD INTERSHIP

Candidate- UMAR, DAHIRU JONGUR (PhD /SOC-SCIE/05680/2008-2009) who is working on the topic **AFRICAN UNION REGIONAL INTERGRATION-2002-2010** is hereby recommended for internship with your commission's Economic, Social and Cultural Council or any of its committees for the period not exceeding six months to enable him test assumptions of his research work in a structured questionnaire, interview and focus – group discussion.

Anticipating your approval, please.

Thank you

Yours Sincerely

Dr. Umar M. Ka'oje
Head of Department



Appendix 7

AFRICAN UNION
الاتحاد الإفريقي



UNION AFRICAINE
UNIÃO AFRICANA

Addis Ababa, ETHIOPIA P. O. Box 3243 Telephone: 517 700 Fax: 517844

Reference: AHRD/2214/8441

Date: 20 July 2010

Mr. Umar Dahiru Jongur
Department of Political Science
Faculty of Social Sciences
Ahmadu Bello University
Zaria, Nigeria

Dear Mr. Jongur,

Re: APPLICATION FOR INTERNSHIP

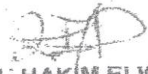
We are writing in reference to your application for an internship position in the African Union Commission.

We take this opportunity to inform you that your application has been accepted on the following conditions:-

1. You have been accepted to intern for three (3) months in the Directorate of Political Affairs.
2. During your stay as an intern, the Commission will have no financial obligation towards you.
3. At the end of the internship period, you will have to submit a brief report on the experiences gained and challenges encountered during the internship programme.
4. You are not allowed to acquire any position in the African Union Commission until after a period of 3 months from the date of separation or/and the internship has elapsed.
5. You have to exercise the utmost discretion in all matters of official business of the Commission and to not use under any circumstances any information about the Commission acquired during the internship or to communicate it to a third party or to publish it even after the end of the internship, except with the formal written agreement of the Commission.

Upon your arrival to the Commission offices in Addis Ababa, please contact Ms. Tigist Kebede, Building C, 3rd Floor, and Room 331 for further information.

Yours sincerely,


DR. ABDUL-HAKIM ELWAER
DIRECTOR, ADMINISTRATION AND HUMAN
RESOURCE DEVELOPMENT

cc: Head, HRDD

Appendix 8

Dept. of Political Science
Faculty of Social Sciences
Ahmadu Bello University
Zaria---Nigeria

19th August, 2010

The Director
Administration and Human Resources Development
African Union Commission
Addis Ababa, Ethiopia

Dear Sir,

LETTER OF ACCEPTANCE FOR INTERSHIP

With reference to your letter No. AHRD/22/4/8441 dated 20th July, 2010, I write to accept the terms and conditions for internship with the African Union Commission in the Directorate of Political Affairs.


I shall communicate the expected date of my arrival, please.

Thank you.

Yours faithfully


Umar, Dahiru Jongur

Appendix 9

**DEPARTMENT OF POLITICAL SCIENCE**
Ahmadu Bello University
Zaria - Nigeria

ice-Chancellor: Professor Abdullahi Mustapha, B.Sc. (Hons) Pharm. (A.B.U), Ph.D. (London), FPSN
ead: Dr. Hudu Ayuba Abdullahi, B.Sc, M.Sc (Nantes) M.Phil, Ph.D (Montpellier), PDDS (Paris)

GSM Nos:08037023514
Telegram: UNIBELLO
Fax:069-550022
E-mail:hudayub2002@yahoo.com

19th May, 2011

The Director,
Administration and Human Resource Development
African Union Commission, Addis Ababa –Ethiopia.

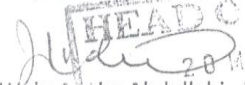
Dear Sir,

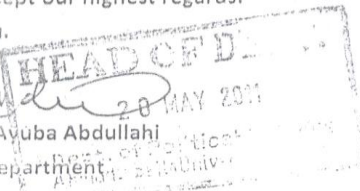
**Re: Approved Internship - Umar Dahiru Jangur (PhD/Soc-
Scie/05680/2008-09)**

I wish to state that the PhD candidate above was unable to take up his approved internship early enough with the Commission as a result of academic process of his proposal defence which he has now made successful on 4th May, 2011.

You may please authorized the beginning of his internship starting from June 2011
Please accept our highest regards.

Thank you.


Dr. Hudu Ayuba Abdullahi
Head of Department



Appendix 10

AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

UNIÃO AFRICANA

Addis Ababa, Ethiopia

P.O. Box 3243

Tel. 251-11-5517700

Fax 251-11-5517844

Ref; POL/ DIR/103 /09 30.11

Date 16 August 2011

TO WHOM IT MAY CONCERN

SUBJECT: CONFIRMATION OF INTERNSHIP OF MR.UMAR,DAHIRU JONGUR

This is to confirm that Mr. Umar has had a three- month internship programme with the Department of Political Affairs (DPA) of the African Union Commission from June to August 2011.

During the period, Mr. Umar carried out variety of assignments related to democratic governance, human rights and election matters. These included work on country profiles on Republic of Tunisia, Sao Tome and Principe and Cameroon; prepared paper on Integration and the promotion of human rights in Africa; and took and prepared minutes of meeting.

Mr. Umar demonstrated an exceptional sound understanding of African election administration and human rights system, exhibited in his meticulous eye for detail and application of relevant legal norms in all his assignments requiring review of election administration and human rights issues, policies and challenges in Africa.

He is a dedicated and hardworking person and displayed commendable resourcefulness and exceeded the call of duty in executing assignments given to him.

Please do not hesitate to contact me for further information on him.

Yours Sincerely,

Dr. Mamadou Dia
Head of Division

**Democracy, Governance, Human Rights and Election
Department of Political Affairs
African Union Commission**

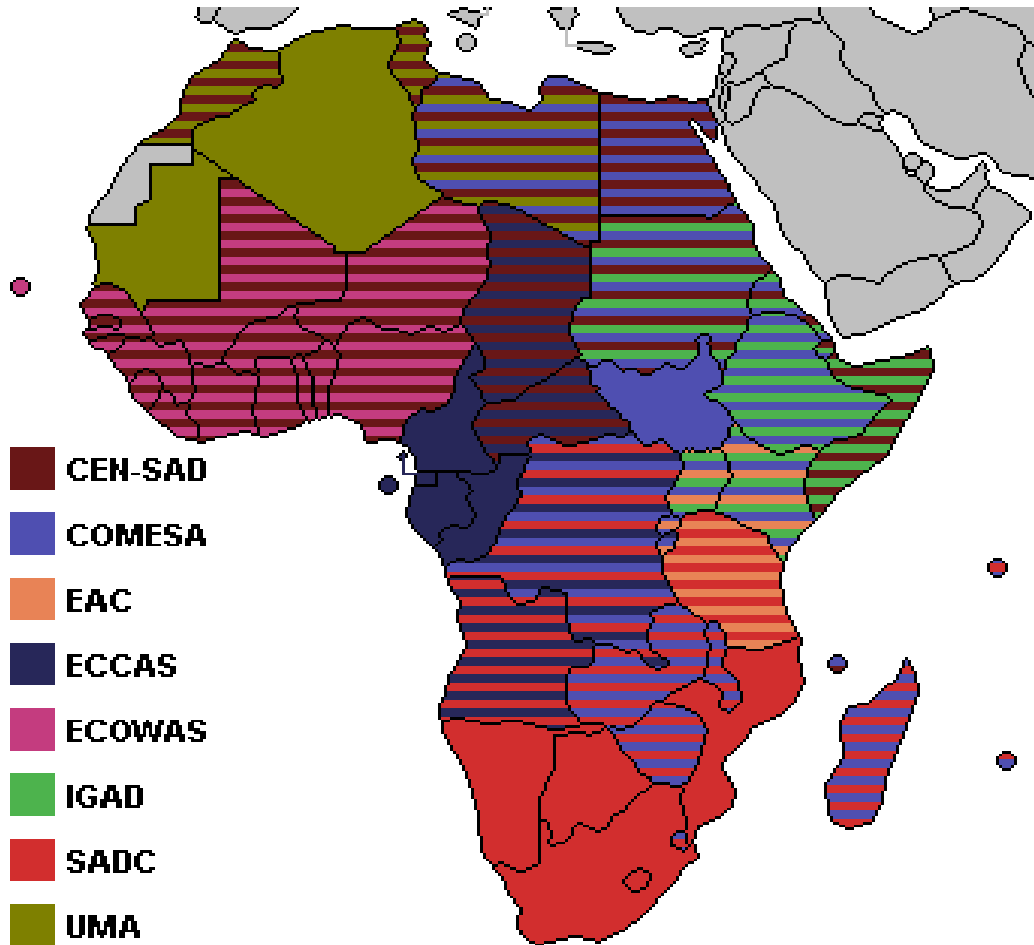


Appendix 11



Clockwise are the symbols of the Regional Economic Communities (RECs) which can be found in their flags, the building blocks of the African Economic Community (AEC) project by 2028. ECOWAS, AMU, IGAD, ECCAS, COMESA, SADC, CEN-SAD and EAC with that of the African Union at the centre.

Appendix 12



The map of Africa with key colour separation showing the eight Regional Economic Communities (RECs) of the AEC across the continent.

SECTION ‘B’

Questions and Responses

1. As a staff of the African Union Commission, do you think AU’s vision to integrate the continent by the year 2025/28 is feasible?
a) Yes () b) No ()
c) If Yes, how?
.....
d) If No, why?
.....

2. There are fundamentally different integration schemes. Which one in your understanding is in practice in Africa? How do you situate the African Union experience and its prospects?

Please elaborate on your answer.....

3. How can the African Union Authority (AUA) as inaugurated by the Heads of State and Government on the 4th July, 2009 operate its powers with respect to regional integration? Please comment freely.....
.....
4. What do you think are the peculiar problems of intergovernmentalism between member states of the AU in regional integration? Please comment freely.....
.....
5. Is there any entangling conflict of sovereignty between the member countries and the continental agenda of the African Union? Please comment freely.....
.....
6. What is the state of AU financial standing in view of process of attaining the African Economic Community, particularly in the case of AMU where such sub-regional block do not exist in harmonizing the Regional Economic Communities (RECs) agenda since it has remained moribund. Please comment freely.....
.....

.....
How best can the AU generate revenue for its schemes, is it from its region or externally,? Please offer your suggestion.....
.....

7. How functional and purposeful are the existing sub-regional bodies (RECs), as AU's building blocks (COMESA, ECOWAS, ECCAS, SADC, CENSAD, IGAD and EAC) Please comment freely.....
.....

8. How has the AU been involving Africans CSO's to get them involved in regional integration process?

9. How do you grade percentage of implementation, in terms of success, the achievements of the African Union in the following areas:

i. Free trade area:

a) 20% () b) 40% () c) 60% ()

d) 80% () e) 100% ()

ii. Customs Union:

a) 20% () b) 40% () c) 60% ()

d) 80% () e) 100% ()

iii. Common/Single market:

a) 20% () b) 40% () c) 60% ()

d) 80% () e) 100% ()

iv. Central bank and monetary fund:

a) 20% () b) 40% () c) 60% ()

d) 80% () e) 100% ()

v. integrated Africa as an Economic Community

a) 20% () b) 40% () c) 60% ()

d) 80% () e) 100% ()

10. What other candid opinion can you state as a catalyst in the AEC project to help African states and RECs through the AUC or any other body to realize the vision of attaining the AEC by the year 2028 that are pragmatic?

Please comment freely.....
.....

Please note, you may make extra comments overleaf.

Note: The questionnaire was later reframed for interview questions.

Appendix 14

