

ASSEMBLY OF HEADS OF STATE
AND GOVERNMENT
Thirtieth Ordinary Session
13 - 15 June 1994
Tunis, Tunisia

DECLARATION ON A CODE OF CONDUCT FOR INTER-AFRICAN RELATIONS

We, African Heads of State and Government meeting in Tunis, Tunisia, from 13 to 15 June, 1994, on the occasion of the 30th Ordinary Session of our Summit,

PREAMBLE

Considering the Charter of the United Nations Organization, particularly its provisions on security, stability, economic development and co-operation,

Considering the Charter of the Organization of African Unity, particularly its principles and objectives (Articles II and III)

Considering the Abuja Treaty establishing the African Economic Community,

Bearing in mind the resolution adopted by the Dakar Summit (29 June - 1 July 1992) on the strengthening of co-operation and co-ordination among African States,

Bearing in mind also resolution CM/Res.1389 on the right of States to decide on their political options without foreign interference,

Conscious of the magnitude of the challenges facing our continent and firmly resolved to face up to these challenges,

Conscious of the fact that it behooves us, more than ever before, to close our ranks in order to better meet the hopes and expectations our peoples have nurtured for decades,

Considering the proliferation of hot beds of tension in Africa and the serious threat they pose to the stability, independence and credibility as well as to the development of our States,

Determined to pursue the realization of the objectives set down in the resolution adopted by the Cairo Summit (June 1993) establishing the *Mechanism for Conflict Prevention, Management and Resolution,*

Convinced of the imperative need to establish a code of conduct aimed at preventing tensions, divisions and confrontations,

Convinced of our duty to strengthen solidarity, consultation and co-operation among Member States, based on mutual respect and non-interference in internal affairs,

Aware of the need to assert human and moral values based on tolerance and the rejection of all forms of discrimination, injustice, extremism and terrorism,

Considering that fanaticism and extremism, whatever their nature, origin and form, especially fanaticism and extremism based on religion, politics and tribalism which are detrimental to the peace and security of the continent, are unacceptable,

Aware that every co-operation effort is doomed to failure in an environment devoid of stability, trust and security,

Aware also that the time has come to take our destiny into our own hands and to seek African solutions to the problems besetting our continent,

Recalling that the *Charter of the United Nations Organization* reaffirms the faith of the International Community in fundamental human rights, the dignity and sanctity of the human person, and in the equality of the rights of men and women, as well as of nations, big and small,

Recalling also that the *Universal Declaration of Human Rights* in its Article 29 stipulates that in the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society,

Recognizing that the freedom of religious belief and its peaceful expression are a fundamental right of all human beings as enshrined in the *Universal Declaration of Human Rights*, in the *Declaration on the Elimination of all Forms of Intolerance and Discrimination Based on Religion or Conviction*, as well as in other instruments relating to human rights,

Recognizing further the threat posed by movements based on religious, political and tribal extremism,

Considering that extremism and terrorism under the pretext of sectarianism, tribalism, ethnicity or religion undermine the moral and human values of peoples, particularly fundamental freedoms and tolerance,

In view of the aforementioned:

1. We are determined to intensify political consultations and expand co-operation in order to resolve economic, social, environmental, cultural and humanitarian problems. This common resolve and our growing independence will help overcome all kinds of mistrust, increase stability and build a united Africa;

2. We want Africa to be a source of peace, open to dialogue, co-operation and exchange with the rest of the world, and committed to the search for common responses to future challenges;

3. We fully support the United Nations Organization and the strengthening of its role in the promotion of peace, security and international justice. We reaffirm our commitment to the United Nations principles and objectives as set forth in the *Charter* and condemn any violation of these principles;

4. We reaffirm our deep conviction that friendly relations among our peoples as well as peace, justice, stability and democracy, call for the protection of ethnic, cultural, linguistic and religious identity of all our people including national minorities and the creation of conditions conducive to the promotion of this identity;

5. We are determined to combat racial or ethnic hatred in all its ramifications as well as any form of discrimination and persecution against any individual on religious or ideological grounds;

6. We are resolved to develop and strengthen the amicable relations and cooperation existing among our States and to promote friendship among our peoples. The challenges facing us can be met only through concerted action, cooperation and solidarity;

7. Mindful of our obligations under the *United Nations Charter* and our commitments vis-a-vis the *OAU Charter*, we reiterate our determination to refrain from the use of force or the threat thereof, against the territorial integrity or political independence of any State, and from any other action inconsistent with the principles and objectives of these *Charters*. We reaffirm that the non-respect of the said obligations constitutes a violation of international law;

8. We believe that our relations, both at the bilateral and continent-wide levels should be backed by a new package of concrete security measures paving the way for enhanced transparency among all States. These measures would constitute a significant step towards increased stability and security in Africa;

9. We are determined to cooperate in the defence of the institution of our respective States against hegemony and all other activities carried out in violation of the independence, unity, sovereign equality or territorial integrity of Member States;

10. We unequivocally condemn as criminal all terrorist acts, methods and practices, and resolve to step up our cooperation in order to erase this blot on the security, stability and development of our countries, which poses as much a threat to us as arms racketeering and drug peddling;

11. Conscious of the fact that the peaceful settlement of disputes constitutes an essential component of the duty devolving on States to refrain from the use of force or the threat thereof or aggression, a condition essential for the maintenance and consolidation of international peace and security; we pledge ourselves to adopt effective measures aimed at preempting situations of emerging conflicts through political means, including regional initiatives and to seize the *Conflict Prevention, Management and Resolution Mechanism* thereof, thereby paving the way for the peaceful settlement of any disputes that could erupt. In this connection, we commit ourselves to seeking new forms of cooperation especially in regard to exploring a range of methods applicable to the peaceful settlement of conflicts. We emphasize, in this regard, that every possible advantage should be taken of the opportunity provided by the *Mechanism* as defined in the *Cairo Declaration* AHG/Dec. 13 (XXIX) of 30 June 1993;

12. We are deeply concerned at the tensions prevalent in the Continent, and reiterate our determination to intensify our efforts towards finding just, effective and lasting solutions by peaceful means to the crucial issues needing attention, on the basis of respect for the principles enshrined in the *Charter of the OAU*;

13. We express satisfaction at the Declaration, adopted by the Assembly of OAU Heads of State and Government in Dakar (29 June to 1 July 1992), the declaration published following the 10th Summit meeting of the Heads of State and Government of Non-Aligned Countries (Djakarta 1 - 6 September 1992) as well as the code of conduct adopted by the 21st Ministerial Session of the OIC (Tunis, 1994) which condemned extremism and terrorism, and called on all States to scrupulously observe, in their relations, the principle of non-interference in the internal affairs of other States and to respect the principle of good neighbourliness;

14. We believe that it has become necessary to set down standards and adopt appropriate measures and regulations in our respective States with a view to forestalling the use of issues related to religion or ethnic differences to encourage or carry out, directly or indirectly, activities prejudicial or potentially prejudicial to the stability of any Member State of the OAU;

15. In this regard, we reiterate our commitment to abide by the obligation incumbent on us by virtue of international law, to refrain from

organizing, instigating, facilitating, financing, encouraging or tolerating activities that are terrorist in nature or intent, and from participating in such activities in whatsoever manner, and to take necessary operational measures to ensure that Member States' territories do not serve as training camps or indoctrination centres for terrorist elements and movements and as sanctuaries for the planning and organization of terrorist activities directed against Member States or other States or their nationals;

16. We also pledge ourselves to conform to our obligations under international law to bring to justice or extradite terrorist elements.