

**AGREEMENT
BETWEEN
THE UNITED NATIONS INDUSTRIAL DEVELOPMENT ORGANIZATION
AND
THE COMMISSION OF THE AFRICAN UNION**

PREAMBLE

The United Nations Industrial Development Organization (hereinafter referred to as "UNIDO"), and the Commission of the African Union (hereinafter referred to as "AU");

RECALLING the Agreement between UNIDO and the Organization of African Unity done at Addis Ababa on 25 July 1989;

CONSIDERING that the African Union, which was formed for the purpose of, inter alia, coordinating and intensifying the cooperation and efforts of African States to achieve a better life for the peoples of Africa, has a leading role in the economic and industrial development of its Member States;

CONSIDERING that UNIDO plays the central role in the promotion and coordination of all activities of the United Nations system in the field of industrial development;

BEARING IN MIND the continuous cooperation between UNIDO and African States since the establishment of UNIDO;

CONVINCED that their collaborate efforts will facilitate the achievement of the aims of the African Union in the field of industrial development;

DESIROUS of intensifying their existing cooperation, in accordance with the Constitutive Act of the African Union and the Constitution of UNIDO, in order to harmonize their efforts within their respective fields of competence. and to cooperate more fully with the aim of pursuing a vigorous process of industrial development in Africa;

HEREBY decide to conclude an Agreement to facilitate cooperation between them, and agree as follows:

ARTICLE I

Cooperation and Consultation

The AU and UNIDO shall act in close cooperation and shall consult each other regularly on all matters of common interest in the field of industrialization in Africa with a view to harmonizing their efforts towards greater effectiveness as far as possible, having due regard to their respective continental and worldwide objectives and functions. They shall also cooperate and consult with a view to promoting effective participation of African States in the policies, programmes and activities of UNIDO.

ARTICLE II

Reciprocal Representation

1. In conformity with its relevant rules and procedures, the AU shall invite UNIDO to send representatives as observers to all meetings of the Assembly of the African Union, the Executive Council and other organs of the Union to which observers are admitted, where questions of particular interest to UNIDO are to be discussed. Representatives of UNIDO thus invited shall, if the competent organ so decides, be entitled to participate without voting rights in such deliberations of the Union.

2. The AU shall be notified of each session of the General Conference and the Industrial Development Board of UNIDO. The AU shall be permitted to participate, without the right to vote, in the deliberations of the General Conference and the Industrial Development Board on matters of particular concern to it. The AU shall also be notified and be permitted to participate in other meetings organized by UNIDO, to which observers are admitted, that are of interest to Africa.

3. The AU and UNIDO shall make all necessary arrangements to facilitate reciprocal representation of the AU and UNIDO at other meetings convened under their respective auspices to consider matters of common interest.

ARTICLE V

Areas of Cooperation

1. The AU and UNIDO agree that the cooperation between them shall include areas dealing particularly with:

- (a) Industrial policy formulation;
- (b) Investment promotion;
- (c) Intra-African industrial cooperation;
- (d) Energy;
- (e) Pharmaceuticals;
- (f) Trade capacity-building;
- (g) Training programmes;
- (h) Transfer of technology;
- (i) Agro-processing;
- (j) Establishment of a network of stakeholders in the relevant fields;
- (k) Promotion of African technological designs;
- (l) Any other areas as may be determined by their competent organs.

2. The details regarding these areas of cooperation shall be worked out during the consultations between the AU and the Secretariat of UNIDO as provided for in Article V below.

ARTICLE IV

Exchange of Information and Documents

UNIDO and the AU shall keep each other informed of such of their activities as are relevant to their respective programmes, and shall undertake an exchange of relevant information and documents, subject to such restrictions and arrangements as may be considered necessary by either party to preserve the confidential nature of certain information and documents.

ARTICLE V

Cooperation between the two Organizations

1. To ensure effective consultation and liaison between them, the AU and the Secretariat of UNIDO shall maintain a close working relationship and hold regular discussions on matters of common interest in pursuance of the present Agreement and in accordance with such arrangements as may be agreed upon from time to time. In particular, they shall examine their respective work programmes established by the competent organs of each institution with a view to avoiding unnecessary overlapping of work and to reaching agreement on measures of cooperation and coordination relating to specified projects or studies.
2. The Secretariat of UNIDO shall provide appropriate technical assistance in areas of its competence to the AU in support of the Conference of African Ministers of Industry or any other organ of the African Union responsible for industrial matters.
3. Whenever desirable for the development of their activities in fields of mutual concern, the AU and the Secretariat of UNIDO may seek each other's technical cooperation where the other organization is specially equipped to assist in the development of such activities. Such cooperation may be sought, *inter alia*, with respect to technical opinions and analyses, the use of materials, services, equipment, and research and other facilities.

ARTICLE VI

Financing of Joint Activities

Where the cooperation proposed by one of the parties under the terms of the present Agreement entails substantial expenditure, consultations shall be held between the AU and UNIDO to determine the availability of resources required, the most equitable way of meeting such expenditure and, if resources are not readily available, the most appropriate ways to obtain the necessary resources.

ARTICLE VII

Implementation of the Agreement

The Chairman of the Commission of the African Union and the Director-General of UNIDO may enter into such administrative arrangements for the implementation of this Agreement as may be found desirable in the light of the two Organizations' experience.

ARTICLE VIII

Termination

The present Agreement may be terminated by either the AU or UNIDO, subject to one year's written notice. If one of the Parties decides to terminate this Agreement, the obligations previously entered into, including projects implemented under this Agreement, shall not be affected.

ARTICLE IX
Settlement of Disputes

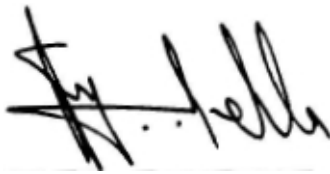
Any dispute or controversy between the parties concerning the interpretation or application of this Agreement or any further Agreement concluded hereunder, which cannot be settled amicably, shall be settled, in keeping with the relevant resolutions and decisions of the appropriate organs of the parties, by negotiations between the parties or through conciliation. Each party shall give full and sympathetic consideration to any proposal advanced by the other to settle amicably any such dispute or controversy.

ARTICLE X
Final clauses

1. The present Agreement shall enter into force on the date on which it is signed on behalf of the AU and UNIDO.
2. The present Agreement may be amended by the mutual consent of the AU and UNIDO, by either party notifying the other party in writing of a proposed amendment. The amendment shall thereafter come into force three months from the date of notification in writing of acceptance by the other party,
3. The present Agreement shall supersede the Agreement between UNIDO and the Organization of African Unity done at Addis Ababa on 25 July 1989.

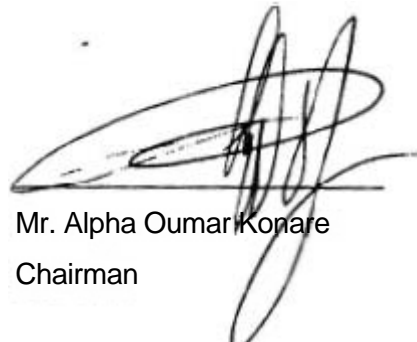
DONE at Cairo, Egypt on the twenty-first day of June 2006, in two original copies in the English language. of which one original copy shall be deposited respectively with the Commission of the African Union and the Secretariat of UNIDO.

For the United Nations
Industrial Development
Organization:



Kandeh K. Yumkella
Director-General

For the Commission of
the African Union:



Mr. Alpha Oumar Konare
Chairman