MEMORANDUM OF UNDERSTANDING ON COOPERATION

BETWEEN

THE COMMISSION OF THE AFRICAN UNION

AND

THE AFRICAN BORDERLANDS RESEARCH NETWORK (ABORNE) FOR THE IMPLEMENTATION OF
AFRICAN UNION BORDER PROGRAMME (AUBP)
PREAMBLE

The Commission of the African Union (hereinafter referred to as the “Commission”) on the one hand; and

The African Borderlands Research Network (ABORNE) (hereinafter referred to as “ABORNE”)

Hereinafter jointly referred to as the ‘Parties’

Considering the relevant provisions of the Constitutive Act of the African Union and the Decisions of the African Union Policy Organs;

Further Considering the Declaration on the African Union Border Programme (AUBP) and its Implementation Modalities as endorsed by the 11th Ordinary Session of the Executive Council of the African Union, held in Accra, Ghana, on 27 June 2007, and further African Union documents on border issues;

Recognizing the relevance of the collaboration between the Commission in implementing its Border Programme with research institutions and networks to facilitate the attainment of the objectives of the AUBP, particularly in matters relating to the reduction of border conflicts and the promotion of continental integration;

Acknowledging the contributions of ABORNE in African borderlands research relating to integration in Africa and the importance to participate in, and utilize inputs from such research by the AUBP;

Desirous of strengthening and deepening their relations and enhancing their capacities to address border issues in Africa in accordance with the relevant policies, Resolutions and Decisions of the African Union, particularly those relating to African borders, and the promotion of regional integration;

HEREBY AGREED AS FOLLOWS:

ARTICLE 1
Definitions

(i) “Assembly” means the Assembly of Heads of State and Government of the African Union

(ii) “Chiefs” means members of the Executive Committee (the highest decision-making body of ABORNE);

(iii) “Commission” means the Commission of the African Union;

(iv) “Constitutive Act” means the Constitutive Act of the African Union of July 2000;
(v) “Council” means the Peace and Security Council of the African Union;

(vi) “Memorandum” means the memorandum of understanding on cooperation between the Commission of the African Union and the African Borderlands Research Network (ABORNE) for the implementation of African Union Border Programme (AUBP);

(vii) “Parties” means the Commission of the African Union and the African Borderlands Research Network;

(viii) “Union” means the African Union.

ARTICLE II
Objectives

1. The Parties shall institutionalize and strengthen their cooperation in developing a common knowledge base on African borders and borderlands, and closely coordinate their shared goals of African integration as well as ridding the continent of territorial and border conflicts.

2. The objectives of this Memorandum shall be to:

   (i) consolidate the shared long-term interests in the history, demarcation and day-to-day realities of African international boundaries;

   (ii) provide the links between policy-making and implementation, on the one hand, and basic as well as applied academic research, on the other, on the continuing dialogue on African borders and borderlands in order to improve our own and the wider community's understanding of African boundary issues;

   (iii) work jointly to develop conceptual frameworks aimed at facilitating the management of border related conflicts and insecurity;

   (iv) cooperate in all matters of common interests and to ensure optimal utilization of our respective human and financial resources so as to achieve concrete results;

   (v) build and strengthen the respective capacities in areas covered by this Memorandum.

ARTICLE III
Areas of Cooperation

Within the context of their activities, the Parties shall cooperate through their appropriate representatives on issues relating to the AUBP and African Borderlands Research in the furtherance of the structural prevention of conflicts in Africa on the one hand and the pursuit of knowledge on African borders and borderlands on the other.
ARTICLE IV
Modalities of Cooperation

1. AUBP shall undertake the following:
   (i) Update ABORNE members on key developments in AUBP policy;
   (ii) Invite ABORNE members as observers or scientific advisors on key issues of policy and research;
   (iii) facilitate and give financial support for African scholars’ and policymakers’ participation in ABORNE events if and when the necessary means are available;
   (iv) Facilitate researchers’ access to the AU archives, meetings and documents for the purpose of academic exercises in furtherance of the objectives of this memorandum, based on relevant AU rules and regulations;

2. ABORNE shall undertake the following:
   (i) Publication of policy-relevant studies of the highest academic standards and documentary sources in the form of the ABORNE-Palgrave book series or other outlets for academic research which currently exist (subject to the usual editorial peer review process);
   (ii) Assist AU policy and decision-making and research projects commissioned by the AU or its partners by using the network’s database and experience to identify key experts on specific topics and/or border regions, with specific reference to cross-border cooperation and demarcation issues;
   (iii) Generally raise the level of expertise within Africa on border issues, so that future decision-making can draw on sound and locally based knowledge;
   (iv) Contribute directly to the capacity-building agenda of AUBP by facilitating links between ABORNE and African universities, institutions and research centres relating to borders generally, and African borders in particular.

ARTICLE V
ABORNE Conferences and Activities

1. The Parties may designate a representative(s) in conformity with their respective rules and procedures to participate in each other’s Conferences/activities relating to African borders, including policy formulation wherever possible;

2. The AU may request ABORNE, before it takes decisions on the themes of future scientific meetings, to address topics in its research program that will have direct relevance to the programs and activities of the AUBP.
ARTICLE VI
Capacity building, Training and Knowledge Sharing

The Parties shall work together to develop and enhance their capacities in a mutually reinforcing way to facilitate the effective and efficient implementation of the AUBP and the key research areas of ABORNE.

ARTICLE VII
Exchange of Information

1. To facilitate the flow of information, ABORNE shall invite AU to nominate one representative to the Chiefs of ABORNE.

2. AUBP representatives and the ABORNE management Committee in Edinburgh (United Kingdom) shall remain in continuous dialogue and hold regular coordination meetings (ideally in conjunction with the annual ABORNE conference) to identify issues of interest and areas of research focus.

ARTICLE VIII
Financial Arrangements

This MOU is intended to provide an overall framework for the Parties’ exploration of collaborative activities, and does not establish any legal obligation or commitment. The MOU carries no financial commitment on either Party and does not oblige either Party to work exclusively with the other. Neither Organization is the agent of the other. Nothing herein shall be deemed to constitute a legal partnership of joint venture between the Parties unless a supplementary agreement so specifies.

ARTICLE IX
Dispute Resolution

Any dispute that may arise over the interpretation or implementation of this Memorandum of Understanding shall be settled by direct negotiations between the Parties. Should this not provide a solution satisfactory to both Parties, the Parties shall submit the dispute to an arbitration procedure agreed upon by them.

ARTICLE X
Privileges and Immunities

No provision of this Memorandum of Understanding shall be understood as an express or implicit waiver of the privileges and immunities to which the Parties are entitled to.
ARTICLE VIII
Amendment

This Memorandum may be amended with the consent of the Parties. Any amendments shall be notified in writing and the instruments expressing these amendments shall be appended to become an integral part of the Memorandum.

ARTICLE X
Termination

1. Either party may terminate this Memorandum by giving the other three (3) months written notice of its intention to terminate the agreement.

2. This Memorandum shall cease to exist upon expiry of ninety (90) days from the date of receipt of the written notification of termination.

ARTICLE IX
Entry into force

The Memorandum shall enter into force upon signature by the duly authorized representatives of the Parties.

IN WITNESS WHEREOF, the duly authorized representatives of the parties have signed the present Memorandum of Understanding in two originals in the English language.

Done at Edinburgh this 23rd day of April Two Thousand and Ten.

For the Commission of the African Union

For the African Borderlands Research Network (ABORNE)