

NMUN • NY

AFRICAN DEVELOPMENT BANK



NATIONAL MODEL UNITED NATIONS

5-9 April 2009 - Sheraton
7-11 April 2009 - Marriott

www.nmun.org

BACKGROUND GUIDE 2009

NATIONAL
COLLEGIATE CONFERENCE
association™

WRITTEN BY:
Rachel Skifton-Warino
Dave Verge
Daniel Lemay
Miriam Müller

Please consult the FAQ section of www.nmun.org for answers to your questions. If you do not find a satisfactory answer you may also contact the individuals below for personal assistance. They may answer your question(s) or refer you to the best source for an answer.

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NMUN•NY 2009 IMPORTANT DATES

IMPORTANT NOTICE: To make hotel reservations, you must use the forms at www.nmun.org and include a \$1,000 deposit. Discount rates are available until the room block is full or one month before the conference – whichever comes first. **PLEASE BOOK EARLY!**

SHERATON	MARRIOTT	
31 January 2009	31 January 2009	<ul style="list-style-type: none"> Confirm Attendance & Delegate Count. (Count may be changed up to 1 March) Make Transportation Arrangements - DON'T FORGET! (We recommend confirming hotel accommodations prior to booking flights.)
15 February 2009	15 February 2009	<ul style="list-style-type: none"> Committee Updates Posted to www.nmun.org.
1 March 2009	1 March 2009	<ul style="list-style-type: none"> Hotel Registration with FULL PRE-PAYMENT Due to Hotel - Register Early! Registration is first-come, first-served. Any Changes to Delegate Numbers Must be Confirmed to karen@nmun.org Two Copies of Each Position Paper Due via E-mail (See opposite page for instructions). <i>All Conference Fees Due to NMUN for confirmed delegates.</i> (\$125 per delegate if paid by 1 March; \$150 per delegate if received after 1 March.) Fee is not refundable after this deadline.

NATIONAL MODEL UNITED NATIONS

The 2009 National Model UN Conference

- 5 - 9 April — Sheraton New York
- 7 - 11 April — New York Marriott Marquis

Two copies of each position paper should be sent via e-mail by 1 MARCH 2009

1. TO COMMITTEE STAFF

A file of the position paper (.doc or .pdf) for each assigned committee should be sent to the committee e-mail address listed below. Mail papers by 1 March to the e-mail address listed for your particular venue. These e-mail addresses will be active after 15 November. Delegates should carbon copy (cc:) themselves as confirmation of receipt. *Please put committee and assignment in the subject line (Example: GAPLEN_Greece).*

2. TO DIRECTOR-GENERAL

- Each delegation should send one set of all position papers for each assignment to the e-mail designated for their venue: positionpapers.sheraton@nmun.org or positionpapers.marriott@nmun.org. This set (held by each Director-General) will serve as a back-up copy in case individual committee directors cannot open attachments. Note: This e-mail should only be used as a repository for position papers.
- The head delegate or faculty member sending this message should cc: him/herself as confirmation of receipt. (Free programs like Adobe Acrobat or WinZip may need to be used to compress files if they are not plain text.)
- Because of the potential volume of e-mail, only one e-mail from the Head Delegate or Faculty Advisor containing all attached position papers will be accepted. *Please put committee, assignment and delegation name in the subject line (Example: Cuba_U_of_ABC).* If you have any questions, please contact the Director-General at dirgen@nmun.org.

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OTHER USEFUL CONTACTS:

Entire Set of Delegation Position Papers (send only to e-mail for your assigned venue)	positionpapers.sheraton@nmun.org positionpapers.marriott@nmun.org
NMUN Director of Programs	karen@nmun.org
Secretary-General	secgen@nmun.org
Director(s)-General	dirgen@nmun.org

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THE 2009 NATIONAL MODEL UNITED NATIONS

SPONSORED BY THE NATIONAL COLLEGIATE CONFERENCE ASSOCIATION

New York City, 5-9 April (Sheraton) & 7-11 April (Marriott) • www.nmun.org

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Dear Delegates,

Welcome to the 2009 National Model United Nations (NMUN). We are very pleased to be serving as your Directors and Assistant Directors for the African Development Bank (AfDB) at the Sheraton and Marriott venues this April.

As your first points of contact for questions or suggestions, we would like to take a moment to introduce ourselves to you. Dave Verge, Director at the Sheraton venue, holds a BA in Political Economy and English from Concordia University College of Alberta and is currently working on an MA in International Conflict Analysis from the University of Kent's Brussels School of International Studies. Working with Dave as Assistant Director will be Daniel Lemay, who holds a BA in Political Studies and Asian Studies from the University of Manitoba and is currently an English teacher in Mianyang, China. Rachel Skifton-Warino, Director at the Marriott venue, holds a BA in Economics from the University of California, Berkeley, and currently works at an international retirement investing firm in the San Francisco Bay Area. Working with Rachel as Assistant Director will be Miriam Müller. While Dave and Daniel will be at the Sheraton Venue, and Rachel and Miriam at the Marriott Venue, the four of us work together as a team and we are all very excited and honored to serve as your Directors and Assistant Directors at this year's NMUN Conference.

The topics for the 2009 African Development Bank Committee are:

1. Analyzing the Impact of Intra-Regional Migration on Development;
2. Promoting Regional Trade and Integration; and
3. Strengthening Mechanisms to Prevent Money Laundering and Terrorism Financing.

The most important aspects of NMUN 2009 are your educational experience and the diplomatic dialogue in which you will engage. As your committee directors, our main objective is to facilitate the committee sessions, through which you will hone your debating skills and gain NMUN experience.

This guide contains background information and many useful links, giving you a starting point for further research. In addition, we have posed contextual questions in each committee topic. We also encourage you to remain abreast of developments regarding the AfDB and its topics. As Directors and Assistant Directors of the AfDB, we look forward to working with all delegates in committee sessions and we are certain that NMUN 2009 will be a wonderful and educational experience.

Every participating delegation will be required to submit a position paper prior to attending the conference. NMUN will accept position papers via e-mail by March 1st for both the Sheraton and the Marriott venues. Please refer to the message from your Director-General explaining NMUN's position paper requirements and restrictions. Delegates' adherence to these guidelines is crucial, as position papers will set the tone for committee dialogue and debate.

The experience of working in a medium sized committee like the AfDB can be intimidating, but it will also be incredibly rewarding. We wish each of you the best as you prepare. Please do not hesitate to direct any questions or concerns toward your Director. We look forward to meeting you at the conference.

Sincerely yours,

Sheraton Venue

Dave Verge
Director
Daniel Lemay
Assistant Director

Marriott Venue

Rachel Skifton-Warino
Director
Miriam Müller
Assistant Director

AfDB.sheraton@nmun.org

AfDB.marriott@nmun.org

Message from the Directors-General Regarding Position Papers for the 2009 NMUN Conference

At the 2009 NMUN New York Conference, each delegation submits one position paper for each committee it is assigned to. Delegates should be aware that their role in a respective committee has some impact on the way a position paper should be written. While most delegates will serve as representatives of Member States, some may also serve as observers, NGOs or judicial or technical experts. To understand these fine differences, please refer to Delegate Preparation Guide.

Position papers should provide a concise review of each delegation's policy regarding the topic areas under discussion and establish precise policies and recommendations in regard to the topics before the committee. International and regional conventions, treaties, declarations, resolutions, and programs of action of relevance to the policy of your State should be identified and addressed. Discussing recommendations for action to be taken by your committee is another portion of the position paper that should be considered. Position papers also serve as a blueprint for individual delegates to remember their country's position throughout the course of the Conference. NGO position papers should be constructed in the same fashion as traditional position papers. Each topic should be addressed briefly in a succinct policy statement representing the relevant views of your assigned NGO. You should also include recommendations for action to be taken by your committee. It will be judged using the same criteria as all country position papers, and is held to the same standard of timeliness.

Please be forewarned, delegates must turn in material that is entirely original. ***The NMUN Conference will not tolerate the occurrence of plagiarism.*** In this regard, the NMUN Secretariat would like to take this opportunity to remind delegates that although United Nations documentation is considered within the public domain, the Conference does not allow the verbatim re-creation of these documents. This plagiarism policy also extends to the written work of the Secretariat contained within the Committee Background Guides. Violation of this policy will be immediately reported to faculty advisors and may result in dismissal from Conference participation. Delegates should report any incident of plagiarism to the Secretariat as soon as possible.

Delegation's position papers can be awarded as recognition of outstanding pre-Conference preparation. In order to be considered for a Position Paper Award, however, delegations must have met the formal requirements listed below. Please refer to the sample paper on the following page for a visual example of what your work should look like at its completion. The following format specifications are **required** for all papers:

- All papers must be typed and formatted according to the example in the Background Guides
- Length must **not** exceed one double-sided page (two single-sided pages is **not** acceptable)
- Font **must** be Times New Roman sized between 10 pt. and 12 pt.
- Margins must be set at 1 inch for whole paper
- Country/NGO name, School name and committee name clearly labeled on the first page; the use of national symbols is highly discouraged
- Agenda topics clearly labeled in separate sections

To be considered timely for awards, please read and follow these directions:

1. **A file of the position paper** (.doc or .pdf) **for each assigned committee** should be sent to the committee email address listed in the Background Guide. These e-mail addresses will be active after November 15, 2008. Delegates should carbon copy (cc:) themselves as confirmation of receipt.

2. Each delegation should also send **one set of all position papers** to the e-mail designated for their venue: positionpapers.sheraton@nmun.org or positionpapers.marriott@nmun.org. This set will serve as a back-up copy in case individual committee directors cannot open attachments. These copies will also be made available in Home Government during the week of the NMUN Conference

Each of the above listed tasks needs to be completed no later than **March 1, 2009 for Delegations attending the NMUN conference at either the Sheraton or the Marriott venue.**

**PLEASE TITLE EACH E-MAIL/DOCUMENT WITH THE NAME OF THE COMMITTEE,
ASSIGNMENT AND DELEGATION NAME (Example: AU_Namibia_University of Caprivi)**

A matrix of received papers will be posted online for delegations to check prior to the Conference. If you need to make other arrangements for submission, please contact Sarah Tulley, Director-General, Sheraton venue, or Lauren Judy, Director-General, Marriott venue at dirgen@nmun.org. There is an option for delegations to submit physical copies via regular mail if needed.

Once the formal requirements outlined above are met, Conference staff uses the following criteria to evaluate Position Papers:

- Overall quality of writing, proper style, grammar, etc.
- Citation of relevant resolutions/documents
- General consistency with bloc/geopolitical constraints
- Consistency with the constraints of the United Nations
- Analysis of issues, rather than reiteration of the Committee Background Guide
- Outline of (official) policy aims within the committee's mandate

Each delegation should submit a copy of their position paper to the permanent mission of the country being represented, along with an explanation of the Conference. Those delegations representing NGOs do not have to send their position paper to their NGO headquarters, although it is encouraged. This will assist them in preparation for the mission briefing in New York.

Finally, please consider that over 2,000 papers will be handled and read by the Secretariat for the Conference. Your patience and cooperation in strictly adhering to the above guidelines will make this process more efficient and is greatly appreciated. Should you have any questions please feel free to contact the Conference staff, though as we do not operate out of a central office or location your consideration for time zone differences is appreciated.

Sincerely yours,

Sheraton Venue
Sarah Tulley
Director-General

sarah@nmun.org

Marriott Venue
Lauren Judy
Director-General

lauren@nmun.org

Sample Position Paper

The following position paper is designed to be a sample of the standard format that an NMUN position paper should follow. While delegates are encouraged to use the front and back of a single page in order to fully address all topics before the committee, please remember that only a maximum of one double-sided page (or two pages total in an electronic file) will be accepted. Only the first double-sided page of any submissions (or two pages of an electronic file) will be considered for awards.

***Delegation from
Canada***

***Represented by
(Name of College)***

Position Paper for General Assembly Plenary

The topics before the General Assembly Plenary are: Breaking the link between Diamonds and Armed Conflict; the Promotion of Alternative Sources of Energy; and the Implementation of the 2001-2010 International Decade to Roll Back Malaria in Developing Countries, Particularly in Africa. Canada is dedicated to collaborative multilateral approaches to ensuring protection and promotion of human security and advancement of sustainable development.

I. Breaking the link between Diamonds and Armed Conflict

Canada endorses the Kimberly Process in promoting accountability, transparency, and effective governmental regulation of trade in rough diamonds. We believe the Kimberly Process Certification Scheme (KPCS) is an essential international regulatory mechanism and encourage all Member States to contribute to market accountability by seeking membership, participation, and compliance with its mandate. Canada urges Member States to follow the recommendations of the 2007 Kimberley Process Communiqué to strengthen government oversight of rough diamond trading and manufacturing by developing domestic legal frameworks similar to the Extractive Industries Transparency Initiative. We call upon participating States to act in accordance with the KPCS's comprehensive and credible systems of peer review to monitor the continued implementation of the Kimberley Process and ensure full transparency and self-examination of domestic diamond industries. We draw attention to our domestic programs for diamond regulation including Implementing the Export and Import of Rough Diamonds Act and urge Member States to consider these programs in developing the type of domestic regulatory frameworks called for in A/RES/55/56. We recommend Member States implement the 2007 Brussels Declaration on Internal Controls of Participants and, in cooperation with established diamond industries, increase controls for record keeping, spot checks of trading companies, physical inspections of imports and exports, and maintenance of verifiable records of rough diamond inventories. Pursuant to Article 41 of the Charter of the United Nations and in conjunction with S/RES/1346, we support renewed targeted sanctions on Côte d'Ivoire, initiated under Paragraph 1 of S/RES/1782, and recommend the Security Council use targeted sanctions and embargos to offset illicit exploitation of diamond trading. Canada recognizes the crucial role of non-governmental organizations (NGOs) in the review of rough diamond control measures developed through the Kimberly Process and encourages States to include NGOs, such as Global Witness and Partnership Africa Canada, in the review processes called for in A/RES/58/290. We urge Member States to act in accordance with A/RES/60/182 to optimize the beneficial development impact of artisanal and alluvial diamond miners by establishing a coordinating mechanism for financial and technical assistance through the Working Group of the Kimberly Process of Artisanal Alluvial Producers. Canada calls upon States and NGOs to provide basic educational material regarding diamond valuation and market prices for artisanal diggers, as recommended by the Diamond Development Initiative. Canada will continue to adhere to the 2007 Brussels Declaration on Internal Controls of Participants and is dedicated to ensuring accountability, transparency, and effective regulation of the rough diamond trade through the utilization of voluntary peer review systems and the promotion of increased measures of internal control within all diamond producing States.

II. The Promotion of Alternative Sources of Energy

Canada is dedicated to integrating alternative energy sources into climate change frameworks by diversifying the energy market while improving competitiveness in a sustainable economy, as exemplified through our Turning Corners Report and Project Green climate strategies. We view the international commitment to the promotion of

alternative sources of energy called for in the Kyoto Protocol and the United Nations Framework Convention on Climate Control (UNFCCC) as a catalyst to sustainable development and emission reduction. Canada fulfills its obligations to Article 4 of the UNFCCC by continuing to provide development assistance through the Climate Change Development Fund and calls upon Member States to commit substantial financial and technical investment toward the transfer of sustainable energy technologies and clean energy mechanisms to developing States. We emphasize the need for Member States to follow the recommendations of the 2005 Beijing International Renewable Energy Conference to strengthen domestic policy frameworks to promote clean energy technologies. Canada views dissemination of technology information called for in the 2007 Group of Eight Growth and Responsibility in the World Economy Declaration as a vital step in energy diversification from conventional energy generation. We call upon Member States to integrate clean electricity from renewable sources into their domestic energy sector by employing investment campaigns similar to our \$1.48 billion initiative ecoENERGY for Renewable Power. Canada encourages States to develop domestic policies of energy efficiency, utilizing regulatory and financing frameworks to accelerate the deployment of clean low-emitting technologies. We call upon Member States to provide knowledge-based advisory services for expanding access to energy in order to fulfill their commitments to Goal 1 of the Millennium Development Goals (MDGs). Canada emphasizes the need for States to establish domestic regulatory bodies similar to the Use, Development, Deployment, and Transfer of Technology Program to work in cooperation with the private sector to increase the transfer of alternative energy technologies. Highlighting the contributions of the Canadian Initiative for International Technology Transfer and the International Initiative for Technology Development Program, we urge Member States to facilitate the development and implementation of climate change technology transfer projects. Canada urges States to address the concerns of the 2007 Human Development Report by promoting tax incentives, similar to the Capital Cost Allowances and Canadian Renewable and Conservation Expenses, to encourage private sector development of energy conservation and renewable energy projects. As a member of the Renewable Energy and Energy Efficiency Partnership, Canada is committed to accelerating the development of renewable energy projects, information sharing mechanisms, and energy efficient systems through the voluntary carbon offset system. We are dedicated to leading international efforts toward the development and sharing of best practices on clean energy technologies and highlight our release of the Renewable Energy Technologies Screen software for public and private stakeholders developing projects in energy efficiency, cogeneration, and renewable energy. Canada believes the integration of clean energy into State specific strategies called for in A/62/419/Add.9 will strengthen energy diversification, promote the use of cogeneration, and achieve a synergy between promoting alternative energy while allowing for competitiveness in a sustainable economy.

III. Implementation of the 2001-2010 International Decade to Roll Back Malaria in Developing Countries, Particularly in Africa

Canada views the full implementation of the treatment and prevention targets of the 2001-2010 International Decade to Roll Back Malaria in Developing Countries, Especially in Africa, as essential to eradicating malaria and assisting African States to achieve Target 8 of Goal 6 of the MDGs by 2015. We recommend Member States cooperate with the World Health Organization to ensure transparency in the collection of statistical information for Indicators 21 and 22 of the MDGs. Canada reaffirms the targets of the Abuja Declaration Plan of Action stressing regional cooperation in the implementation, monitoring, and management of malaria prevention and treatment initiatives in Africa. To fully implement A/RES/61/228, Canada believes developed States must balance trade and intellectual property obligations with the humanitarian objective of the Doha Declaration on the TRIPS Agreement and Public Health. We continue to implement Paragraph 6 of the Doha Declaration on the TRIPS Agreement and Public Health into our compulsory licensing framework through the Jean Chrétien Pledge to Africa Act. We urge Member States to support compulsory licensing for essential generic medicines by including anti-malarial vaccines and initiating domestic provisions to permit export-only compulsory licenses to domestic pharmaceutical manufacturers, similar to Canada's Access to Medicines Regime. Canada calls upon Member States to establish advanced market commitments on the distribution of pneumococcal vaccines to developing States in cooperation with PATH and the Malaria Vaccine Initiative. We emphasize the need for greater membership in the Roll Back Malaria initiative to strengthen malaria control planning, funding, implementation, and evaluation by promoting increased investment in healthcare systems and greater incorporation of malaria control into all relevant multi-sector activities. Canada continues to implement the Canadian International Development Agency's (CIDA) New Agenda for Action on Health to reduce malaria infection rates among marginalized populations in Africa, increase routine immunizations rates, and reduce infection rates of other neglected infections. Canada will achieve the goal of doubling aid to Africa by 2008-2009 by providing assistance to the Global Fund to Fight Aids, Tuberculosis, and Malaria. We urge Member States to increase donations to intergovernmental organizations and NGOs that support malaria

programming in Africa, exemplified by CIDA's contribution of \$26 million to the Canadian Red Cross. We continue our efforts to provide accessible and affordable vector control methods to African States through the Red Cross' Malaria Bed Net Campaign and the African Medical Research Foundation Canada by supplying insecticide-treated mosquito nets and Participatory Malaria Prevention and Treatment tool kits. We support the Initiative to Save a Million Lives Now 2007 Campaign to improve healthcare for impoverished mothers and children and reaffirm the need for standardization of healthcare systems to ensure adequate training of healthcare officials. We call upon Member States to assist in the capacity building of developing States' healthcare frameworks to provide adequate training, equipment, and deployment to new and existing African healthcare personnel. Canada places strong emphasis on ensuring increased accessibility to health services, improved standards of living, and reduction in mortality rates through our \$450 million contribution to the African Health Systems Initiative. Pursuant to Article VII of the A/55/2, we will continue to exhibit leadership in the implementation of A/RES/61/228 to mitigate the effects of malaria in developing States, particularly in Africa, and remain dedicated to the strengthening of healthcare systems to improve malaria prevention and treatment.

History of the African Development Bank

The African Development Bank Group is a multilateral development finance institution composed of the African Development Bank (AfDB), the African Development Fund (ADF) and the Nigeria Trust Fund (NTF).¹ Commonly referred to simply as the African Development Bank, the Group is a major institution in the continuing process of development on the African continent.² By 2006, the Group had distributed more than \$55 billion in loans and has maintained an annual lending portfolio of more than \$3 billion ever since.³ The main goal of AfDB is to foster “sustainable economic development and social progress” in Africa through: financing economic and social projects; promoting investment in Africa; and providing technical and expert assistance to projects and organizations involved in socio-economic development in Africa.⁴

The AfDB shares its origins with the Organization of African Unity (OAU), the precursor to the African Union (AU).⁵ Decolonization and the subsequent emergence of several newly independent African states during the late 1950s and early 1960s led to the creation of the OAU and generated significant interest in the creation of an independent regional development bank.⁶ The primary motivation behind the creation of the AfDB was the need for an independent development bank that would be largely free of extra-regional influence.⁷ Attendees of the Pan-African Conference of Heads of State and Government in Monrovia, Liberia, drafted the *Agreement establishing the African Development Bank* in 1961 at the same time the *Charter of the Organization of African Unity* was drafted.⁸ The *Agreement establishing the African Development Bank* was signed at the 1963 Conference of Finance Ministers on the Establishment of an African Development Bank, held in Khartoum, Ethiopia, and came into effect on September 10, 1964, when 20 Regional Member Countries (RMCs) contributed to the formation of the AfDB’s initial capital stock.⁹ The organization commenced operations in 1967, headquartered in Abidjan, Côte d’Ivoire; however, due to conflict in the Cote d’Ivoire, its headquarters moved to Tunis, Tunisia, in 2003.¹⁰ The AfDB currently has 77 Member States, or shareholders, 53 of which are regional states.¹¹

In the interest of maintaining the fully African character of the Bank, the founding members decided early on that the Bank staff should all be African.¹² This presented the bank with unique advantages and challenges. While maintaining a completely African staff allowed the AfDB to be more intimately involved with local African issues, the shortage of African experts in the fields of banking and economics during the 1960s and 1970s contributed to a relatively slow start for the Bank, which by 1969 only had a total lending portfolio of around \$1 million.¹³ The Bank was further limited by a shortage of capital stocks, making it clear by the late 1970s that non-African membership would be necessary if the Bank were to have any real efficacy.¹⁴ However, it took until 1982 for the AfDB to reach a decision on how best to incorporate non-regional membership while still maintaining the “African character of the institution.”¹⁵ The AfDB ensured that the African character of the institution could be maintained by the imposition of certain conditions upon any non-regional membership.¹⁶ These conditions included: requiring that the Bank President be elected “by a majority of the total voting power of (all) the members, including a majority of the total voting power of the regional members”; keeping the headquarters of the Bank in Africa; limiting the total voting power of Non-Regional Members on the Board of Governors to 40% (regardless of the number of non-regional members); limiting Non-Regional Members to six out of 18 Executive Director positions; and reserving the

¹ African Development Bank Group, *About Us*, 2008.

² *Ibid.*

³ Bank Information Center, *African Development Bank – Lending*, 2008.; African Development Bank Group, *Annual Report 2006*; African Development Bank Group, *Annual Report 2007*.

⁴ *Agreement Establishing the African Development Bank*, 1963.

⁵ English and Mule, *The Multilateral Development Banks – Volume 1*, 1996, p.19.

⁶ *Ibid.*; African Development Bank Group, *Evolution of the Group*, 2008.

⁷ English and Mule, *The Multilateral Development Banks – Volume 1*, 1996, p.19.

⁸ *Ibid.*

⁹ *Agreement Establishing the African Development Bank*, 1963.

¹⁰ Bank Information Center, *African Development Bank – Structure*, 2008.

¹¹ *Ibid.*

¹² *Ibid.*, p.20.

¹³ *Ibid.*, p.20.

¹⁴ *Ibid.*, p.20-21.

¹⁵ African Development Bank Group, *History – Main Events*, 2008.

¹⁶ English and Mule, *The Multilateral Development Banks – Volume 1*, 1996, p.22.

majority of Bank staff, especially management positions, for Africans.¹⁷

Structure of the Bank

Today, the AfDB consists of three separate bodies, the African Development Bank, the ADF, and the NTF.¹⁸ While both the ADF and NTF are managed by the AfDB and subject to the Board of Governors all three institutions are financed separately and provide different services.¹⁹ The ADF was established in 1972 as a vehicle through which Non-Regional Members (NRMs) could contribute to AfDB projects and lending.²⁰ The funds accumulated by this body were initially distributed as loans with no interest, a 50-year repayment period, and a 0.75% annual service fee.²¹ The modern ADF has changed slightly. While it remains an institution funded by NRMs, it has introduced interest rates (generally between 2-4 percent) and it now lends specifically to countries not eligible for AfDB or NTF loans.²²

The NTF began operations in 1976 with an \$80 million initial capital investment made by Nigeria.²³ The Nigerian government designed the Fund as a method to provide assistance to low-income RMCs whose economic situations required concessional financing.²⁴ In April of 2006 the intended thirty year term for the NTF came to an end and the Nigerian government requested that the AfDB begin steps to shut down the operations of the NTF.²⁵

The administration of the Bank consists of a President, five Vice Presidents, a Board of Directors, and a Board of Governors, which is the ultimate decision-making body of the Bank.²⁶ The Board of Governors consists of representatives from each Member State—typically Ministers of Finance—and is responsible for changes in the AfDB capital stock, the election of the President, the establishment of special funds, the creation of annual financial statements, and the admission of new Members.²⁷ The Board meets annually and, as the use of sub-committees is very rare, tends to defer some decision-making to relevant Executive Directors.²⁸ The Board of Directors is responsible for the Bank's daily operations; it is composed of 18 Executive Directors, 12 regional and 6 non-regional.²⁹ The Executive Directors are elected by the Board of Governors to a three year term that may be renewed once.³⁰ As there are significantly fewer Executive Directors than Member States, each Director represents several states in a given region.³¹ The one exception to this rule is the United States of America which is represented on the board by its own Executive Director.³²

The five Vice Presidents of the AfDB are elected to renewable three-year terms, a feature that differs from other multilateral banks, which usually have permanent Vice Presidents.³³ The Board of Governors, on the recommendation of the President, elects the five Vice Presidents.³⁴ The President, also elected by the Board of Governors, serves a five-year term that may be renewed as long as not more than two consecutive terms are served.³⁵ The President is responsible for the interpretation and implementation of the policies developed by the Board at its annual meeting.³⁶ The current President of the AfDB since 2005 is Donald Kaberuka, former Rwandan

¹⁷ *Agreement Establishing the African Development Bank*, 1963.

¹⁸ African Development Bank Group, *About Us – Group Entities*, 2008.

¹⁹ Fitch Ratings, *Supranationals – African Development Bank*, p.1-2.

²⁰ English and Mule, *The Multilateral Development Banks – Volume 1*, 1996, p.21.

²¹ African Development Bank Group, *Group Entities – The African Development Fund*, 2008.

²² Fitch Ratings, *Supranationals – African Development Bank*, p.2.

²³ African Development Bank Group, *Group Entities – The Nigeria Trust Fund*, 2008.

²⁴ *Ibid.*

²⁵ Weiss, *The African Development Bank Group*, 2008, p.2.

²⁶ English and Mule, *The Multilateral Development Banks – Volume 1*, 1996, p.39.

²⁷ Bank Information Center, *African Development Bank – Structure*, 2008.

²⁸ English and Mule, *The Multilateral Development Banks – Volume 1*, 1996, p.39.

²⁹ African Development Bank Group, *About Us – Board of Directors*, 2008.

³⁰ Bank Information Center, *The African Development Bank – Structure*, 2008.

³¹ English and Mule, *The Multilateral Development Banks – Volume 1*, 1996, p.40.

³² *Ibid.*

³³ *Ibid.*, p. 47.

³⁴ *Ibid.*

³⁵ *Agreement Establishing the African Development Bank*, 1963.

³⁶ English and Mule, *The Multilateral Development Banks – Volume 1*, 1996, p.45.

Minister of Finance and Economic Planning.³⁷

Activities

During its history the AfDB has been involved in a multitude of different projects and lending strategies across the African continent, with inconsistent results.³⁸ However, during the mid 1990's AfDB President Omar Kabbaj began a process of reforming the management and lending policies of the Bank.³⁹ Through this reform process the lending undertaken by the Bank has produced some very positive results.⁴⁰ The current priorities of the AfDB are to develop infrastructure, governance, private sector investments, and regional integration in African countries.⁴¹ In 2007 the AfDB committed 73% of its lending power to infrastructure projects, of which 36% was devoted to developing power supply, 29% to transportation infrastructure and 8% to water facilities.⁴² The next largest sectors for investment were agriculture at 7%, industrial projects at 6% and social development at 5%.⁴³ Between 2005 and 2007 the AfDB was involved in projects that improved access to transportation for 31 million people, brought water and sanitation to 1.6 million, and supplied power to more than 700,000 households.⁴⁴

In addition, one of the specific goals of the AfDB is to help borrowing states be fully capable of repaying AfDB loans.⁴⁵ By repaying these loans, debtor nations demonstrate their viability to other international lenders and, thus, encourage further international lending and investment.⁴⁶ This is a significant accomplishment for the AfDB, which currently occupies the position of the financial institution responsible for multiple financial and lending "firsts" in Africa.⁴⁷ Among these African financial "firsts" include the first transactions made by supranational issuers involving the Tanzanian Shilling and the Ghanaian Cedi.⁴⁸

Due in part to the longevity of its operations, the AfDB has worked effectively with other regional organizations.⁴⁹ One of the most successful of AfDB's collaborations is with the New Partnership for Africa's Development (NEPAD). NEPAD is a combination of three former development plans: the Millennium Partnership for the African Recovery Programme (MAP), the OMEGA Plan for Africa, and the Compact for African Recovery (CAR).⁵⁰ In 2001 the AfDB formed a Management Task Force to review and provide intellectual and technical assistance for the alteration and merging of these three programs into the New African Initiative (NAI), later re-named NEPAD.⁵¹ Following the Organization of African Unity's creation of NEPAD the AfDB continued its involvement by providing leadership and technical assistance in the areas of infrastructure development, banking, and finance.⁵²

In 2003 the AfDB began reviewing its policies on accountability and transparency to enable the organization to better meet international standards in both these areas.⁵³ Following this review the AfDB instituted several new policies to increase its accountability and transparency.⁵⁴ The new policies include a disclosure policy intended to increase the transparency of the bank, as well as the Independent Review Mechanism (IRM), which is a citizen complaint mechanism intended to improve public awareness of the Bank's projects and policies and give people

³⁷ Bank Information Center, *The African Development Bank – Structure*, 2008; African Development Bank Group, *Office of the President*, 2008.

³⁸ English and Mule, *The Multilateral Development Banks – Volume 1*, 1996, p.1-4, 26.

³⁹ Weiss, *The African Development Bank Group*, 2008, p.4.

⁴⁰ Copson, *African Development Bank and Fund*, 2000.

⁴¹ African Development Bank Group, *Financial Presentation – May 2008*, p.9-10.

⁴² *Ibid*, p. 6.

⁴³ *Ibid*.

⁴⁴ *Ibid*, p.14.

⁴⁵ *Ibid*, p.26.

⁴⁶ *Ibid*, p.27-29.

⁴⁷ *Ibid*, p.27.

⁴⁸ *Ibid*, p.28.

⁴⁹ *Ibid*, p.15.

⁵⁰ African Development Bank Group, *The New Partnership for Africa's Development (NEPAD) and the Role of the African Development Bank*, 2002, Section 1.2.

⁵¹ *Ibid*, Sections 2.1-2.2.

⁵² *Ibid*, Sections 2.3-2.4.

⁵³ Bank Information Center, *African Development Bank - Policies*, 2008.

⁵⁴ *Ibid*.

adversely affected by Bank programs a medium through which they could be heard.⁵⁵

The AfDB will be a resolution writing body at the 2009 NMUN conference. The current Membership of the AfDB that will be represented at conference is:

Algeria	Denmark	Kuwait	Saudi Arabia
Angola	Djibouti	Lesotho	Senegal
Argentina	Egypt	Liberia	Seychelles
Belgium	Equatorial Guinea	Libya	Sierra Leone
Benin	Eritrea	Madagascar	Somalia
Botswana	Ethiopia	Malawi	South Africa
Brazil	Finland	Mali	Spain
Burkina Faso	France	Mauritania	Sudan
Burundi	Gabon	Mauritius	Swaziland
Cameroon	Gambia	Morocco	Sweden
Canada	Germany	Mozambique	Switzerland
Cape Verde	Ghana	Namibia	Tanzania
Central African Republic	Guinea	Netherlands	Togo
Chad	Guinea Bissau	Niger	Tunisia
China	India	Nigeria	Uganda
Comoros	Italy	Norway	United Kingdom
Congo	Japan	Portugal	United States of America
Côte d'Ivoire	Kenya	Rwanda	Zambia
Democratic Republic of Congo	Republic of Korea	Sao Tome and Principe	Zimbabwe

I. Analyzing the Impact of Intra-Regional Migration on Development

*Migration has been making its way increasingly towards the top of the continental and international agenda and now calls insistently and urgently for the attention of all governments. Hence, there is a need for a comprehensive and balanced approach to migration taking into account migration realities and trends as well as linkages between migration and other key economic, social, political, humanitarian and development issues.*⁵⁶

Introduction

Migration is defined by the International Organization of Migration (IOM) as “the movement of a person or group of persons from one geographical unit to another across an administrative or political border, with the intention of settling indefinitely or temporarily in a place other than their place of origin.”⁵⁷ Based on this definition migration is also differentiated between international migration, intra-regional and internal migration.⁵⁸ The African Development Bank (AfDB) is committed to fostering development in Africa and therefore focuses many resources on migration in Africa.⁵⁹ This includes migration across state borders, from rural to urban areas and forced migration caused by conflicts and environmental disasters within Africa.⁶⁰

In 1885, Ernest George Ravenstein formulated Laws of Migration.⁶¹ These laws state that the majority of migrants

⁵⁵ Bank Information Center, *Transparency at the AfDB*, 2008; Bank Information Center (BiC), *Accountability at the AfDB*, August 2008; Bank Information Center (BiC), *Quick Facts on the African Development Bank*.

⁵⁶ Ping, *Opening Remarks at the Workshop on Inter-State and Intra-Regional Cooperation on Migration Management in the Inter-Governmental Authority on Development*, 2008, p.3.

⁵⁷ International Organization of Migration, *Migration Typologies*.

⁵⁸ Hofmeier & Mehler, *Kleines Afrika-Lexikon*, 2004, p.196.

⁵⁹ High Level Panel for the AfDB, *Investing in Africa's Future. The ADB in the 21st Century*, 2007, p.11.

⁶⁰ AU Executive Council, Ninth Ordinary Session, *The Migration Policy Framework for Africa*, 2006, p.3.

⁶¹ Rotte & Vogler, *The Effects of Development on Migration: Theoretical Issues and New Empirical Evidence*, 1999, p. 2.

are single adults that move only over short distances, most migration occurs from the countryside to the cities and is caused by economic factors.⁶² Still other reasons for migration include responses to demographic, economic, and political factors, growing populations, environmental disasters, poor economic conditions, conflicts and the effects of macro-economic adjustment programs.⁶³ In general, migrants include a wide range of people from temporary cross-border workers, business professionals, and clandestine workers to refugees and internally displaced persons (IDPs).⁶⁴

While migration can be voluntary, forced migration often occurs as well.⁶⁵ Forced migration includes: refugees and IDPs as well as people displaced by natural or environmental disasters, chemical or nuclear disasters, famine or development disasters.⁶⁶ The term refugee includes every person that has been forced to flee their State of origin due to a conflict or fear of violence.⁶⁷ In contrast, IDPs have not crossed an international border and are thus staying in their country of origin.⁶⁸ The numbers of migrants for each of the groups vary widely through the continent as well as the problems that are associated with them.⁶⁹

Causes and Trends concerning Intra-Regional Migration in Africa

There are various causes for migration in Africa today which do not only impact development but also lead to different migratory trends.

Economic Causes of Migration

In Africa today, more than 60% of the population lives in rural areas and qualify as living in extreme poverty, which means they are living on less than \$1 USD a day.⁷⁰ Moreover, most workers in Africa are in the agricultural sector, a profession that is characterized by seasonal underemployment.⁷¹ Many individuals living in rural areas work fewer hours than they would need to earn enough for their families' survival. The number of jobs available does not compare to the number of people in need of a job and the wages are lower than in manufacturing and services sectors.⁷² Young people in particular are desperately in need of jobs.⁷³ In 2003, the unemployment rate for youth ages 15-24 was twice that of the overall labor force with an unemployment rate of 21% and 22.8% in Sub-Saharan and North Africa respectively.⁷⁴ These young people leave the home in search for a more promising life in urban or more developed areas.⁷⁵

When groups lack the basic necessities for survival as well as the opportunity to improve their living conditions, individuals are often forced to abandon their families in order to move to the urban areas in search of work.⁷⁶ Rural to urban migration is the most common in relation to all other types of migration in Africa today.⁷⁷ One cause for this pattern is the widespread socio-economic gap between the poor, who reside in mostly rural and post-conflict areas, and the wealthy, who reside in the more prosperous regions with higher living standards.⁷⁸ This contrast fuels

⁶² *Ibid.*

⁶³ Ping, *Opening Remarks at the Workshop on Inter-State and Intra-Regional Cooperation on Migration Management in the Inter-Governmental Authority on Development*, 2008, p.4.

⁶⁴ *Ibid.*

⁶⁵ African Development Bank, *Achieving the Millennium Development Goals in Africa. Progress, Prospects, and Policy Implications (Global Poverty Report)*, 2000, p. 14

⁶⁶ Forced Migration Online (FMO), *What is forced migration?*, 2008.

⁶⁷ Lindley, *Conflict-induced migration and remittances: exploring conceptual frameworks*, 2008, p.5.

⁶⁸ United Nations High Commissioner for Refugees, *The Treatment of Forced Displacement and Statelessness in the Revised UNECE Census Recommendations*, 2005, p.3.

⁶⁹ African Development Bank Economic and Social Statistics Division, *Gender, Poverty and Environmental Indicators on African Countries 2008*, p.25.

⁷⁰ African Development Bank, *Selected Statistics on African Countries 2008*, p.29.

⁷¹ World Development Indicators, *Meeting the challenges of unemployment and poverty in Africa*, 2004, p.9.

⁷² *Ibid.*

⁷³ UN Department of Public Information, *Africa and the Millennium Development Goals. Update 2007*, p.14.

⁷⁴ *Ibid.*

⁷⁵ *Ibid.*

⁷⁶ Adepoju, *Fostering free movement of persons in West Africa: achievements, pitfalls and prospects for intra-regional migration*, p.2.

⁷⁷ Hofmeier & Mehler, *Kleines Afrika-Lexikon*, 2004, p.195.

⁷⁸ Global Donor Platform for Rural Development, *Mind the Gap: How to Improve Rural-Urban Linkages to Reduce Poverty. Platform Policy Brief No.1*, 2007, p.2.

migration within both a country and a region.⁷⁹ A vast gap exists in wages as well as in opportunities that more developed, mostly urban areas offer.⁸⁰

Conflicts and Migration

According to the Heidelberg Institute for Conflict Research, 78 military conflicts took place in Sub-Saharan Africa in 2007.⁸¹ 45 of these conflicts qualified as low intensity, 24 as medium and nine with high intensity. Additionally, there were seven severe crises and two wars.⁸² This marked the second highest number of conflicts recorded. In Africa as a whole the number of severe conflicts and wars decreased from 15 in 2006 to only 9 in 2007.⁸³

Countries experiencing conflict or post-conflict dynamics often have large IDP populations.⁸⁴ Each state and region thus has had to find ways of coping with the number of displaced people.⁸⁵ There are as many IDPs in Africa as in the rest of the world combined: around half of 24.5 million (end of 2006).⁸⁶ Also called 'internal refugees', they are in need of protection and assistance but do not have the same legal and institutional support as those who have managed to cross an international border.⁸⁷ Although international humanitarian law guarantees IDPs basic human rights, no single entity is mandated to assist IDPs. Due to questions of sovereignty, the responsibility of protecting IDPs' rights remains in the hands of authorities who occasionally were actually responsible for the displacement.⁸⁸

In times of conflict, human trafficking of individuals within conflict areas is increasing.⁸⁹ Economically disadvantaged groups and especially young women and children have become particularly vulnerable to the recruitment tactics of traffickers. Men are also trafficked, although far less is known about this dynamic.⁹⁰ The 2006 "Trafficking in Persons Report" from the U.S. State Department identified Angola as a primary originating country for women and children trafficked internally as well as to neighboring countries.⁹¹ The report also expresses concerns regarding the trafficking of children from the Democratic Republic of the Congo (DRC) to Angola to work in the diamond mines.⁹²

Environmental Degradation

Another new cause for migration has emerged in past years: environmentally forced migration. Environmental degradation further aggravates the pressure for migration from poorer to relatively prosperous regions, within and outside the sub-regions. In the Sahel, the region stretching from Senegal to Somalia, desertification and cyclical famines have triggered waves of environmentally displaced persons across national frontiers within the sub-region.⁹³ An increased number of intense cyclones and floods in Madagascar have claimed many lives while destroying infrastructure and livelihoods.⁹⁴ These environmental disasters are forcing people to migrate to other areas within the region in order to secure their survival. These people created a new variety of refugees termed environmental refugees.⁹⁵ Environmental refugees are people who have been forced to leave their traditional habitat, temporarily or permanently, because of a marked environmental disruption.⁹⁶ It is currently estimated that there are 10 million

⁷⁹ Adepoju, *Fostering free movement of persons in West Africa: achievements, pitfalls and prospects for intra-regional migration*, p.2.

⁸⁰ *Ibid*

⁸¹ Heidelberg Institute for International Conflict Research, *Conflict Barometer 2007. 16th Annual Conflict Analysis*, p. 5.

⁸² *Ibid*.

⁸³ Fischer Weltalmanach 2008, *Zahlen, Daten, Fakten*, 2007, p.30.

⁸⁴ Adepoju, *Fostering free movement of persons in West Africa: achievements, pitfalls and prospects for intra-regional migration*, p.7.

⁸⁵ IDP Action, *IDPs in Africa: a case for concerted action*.

⁸⁶ *Ibid*.

⁸⁷ Forced Migration Online (FMO), *What is forced migration?*, 2008.

⁸⁸ *Ibid*.

⁸⁹ *Ibid*.

⁹⁰ International Organization for Migration, *Migration Initiatives Appeal 2008*, p.9.

⁹¹ *Ibid*.

⁹² *Ibid*.

⁹³ Adepoju, *Fostering free movement of persons in West Africa: achievements, pitfalls and prospects for intra-regional migration*, p.2.

⁹⁴ International Organization for Migration, *Migration Initiatives Appeal 2008*, p.9.

⁹⁵ Keane, *The Environmental Causes and Consequences of Migration: A Search for the Meaning of "Environmental Refugees"*, 2004.

⁹⁶ *Ibid*.

environmental refugees worldwide.⁹⁷

Female Migration

Traditionally, African migrants were males who migrated for work. However, female migration has become a major survival strategy in response to deepening poverty in the sub-regions of Sub-Saharan Africa.⁹⁸ About 51 percent of rural women live below the nationally defined poverty line and lack access to basic education, decent nutrition, adequate health and social services.⁹⁹ As the situation for many African families worsens, women see themselves increasingly forced to migrate in order to assure the survival of the family.¹⁰⁰ Female-headed and single-parent families have burgeoned as a result of male migration, divorce or death of the male head, with intense pressure on the females who have to combine work and familial responsibilities.¹⁰¹ Autonomous female migration reflects increasing economic pressure on rural families, as female migrants tend to be concentrated in the low paid, low skilled labor market.¹⁰² Women generally face discrimination in employment, economic opportunities and access to credit and financial facilities, and are marginalized politically.¹⁰³

Intra-Regional Migration and Development

Examining the origin States and the destination States of migrant groups demonstrates the existence of both positive and negative effects of migration on development.

Benefits

Migration can help States with low living standards and high unemployment rates reduce the number of people in need of the limited jobs. Such a dynamic reduces both the domestic unemployment rate and the percentage of people living in poverty in the migrants' state of origin.¹⁰⁴

In destination States migrants have the potential to offer a valuable contribution to the work force. Seasonal migrants or permanent migrants can fill gaps in labor forces doing jobs that inhabitants are either unwilling or unable to carry out. Migrants are especially prone to take jobs informally called "3D-jobs: dirty, dangerous, and/or difficult" and are thus likely to find employment in the agriculture, timber, plantations, heavy industry, construction, and domestic services sectors.¹⁰⁵ Migrants in a destination State are, in general, more energetic and willing to take risks both physically as well as economically and therefore contribute highly to a dynamic and growing economy.¹⁰⁶ Migrants often feel a strong desire to succeed in the destination country as they have often sacrificed greatly in order to take advantage of the opportunities there.¹⁰⁷ Another benefit of migration comes to entire families who move to areas with greater employment opportunities.¹⁰⁸ The families often benefit in such situations by gaining access to better education and improved health care in more prosperous States.¹⁰⁹

Disadvantages

There are several negative aspects of migration as well. The departure of individuals and families from their State of origin may impede development in their home country and may also lead to increased social development problems in both the home and the destination state.¹¹⁰ Furthermore, some migrants move not because they are in desperate need of a job but seek better paid or higher profile jobs. The absence of such migrants may therefore

⁹⁷ *Ibid.*

⁹⁸ Adepoju, *Fostering free movement of persons in West Africa: achievements, pitfalls and prospects for intra-regional migration*, p.4.

⁹⁹ *Ibid.*

¹⁰⁰ African Union Experts Meeting on Migration and Development, *Elements for an African Common Position on Migration and Development*, 2006, p.4.

¹⁰¹ Adepoju, *Fostering free movement of persons in West Africa: achievements, pitfalls and prospects for intra-regional migration*, p.4.

¹⁰² *Ibid.*

¹⁰³ *Ibid.*

¹⁰⁴ Adepoju, *Migration in West Africa*, 2005, p.14.

¹⁰⁵ Koser, *International Migration. A Very Short Introduction*, 2007, p.32.

¹⁰⁶ *Ibid.*, p.10.

¹⁰⁷ *Ibid.*, p.1.

¹⁰⁸ Hofmeier & Mehler, *Kleines Afrika-Lexikon*, 2004, p.196.

¹⁰⁹ Fischer Weltalmanach 2008, *Zahlen, Daten, Fakten*, 2007, p.30.

¹¹⁰ Koser, *International Migration. A Very Short Introduction*, 2007, p.41.

leave a gap in the workforce of their country of origin. Families or individuals who migrate have an impact on social structures as well. African society depends on family networks for health care, emergency relief and caring for the elders.¹¹¹ Migration is thus seen by some as a destructive factor responsible for damaging these social networks by leaving fewer people in care for many and therefore limiting the potential for family members who may stay behind.¹¹²

The presence of migrants in host countries may burden the destination countries. An influx of large groups of either recorded or undocumented migrants could potentially provide an unbearable stressor to their host States.¹¹³ In such situations and because undocumented migrants have no legal status in most destination states, migrant groups are usually the first group to face xenophobia or racial hatred caused by the fears or frustrations of the domestic population.¹¹⁴

Especially low skilled and illegal migrants, who are often forced to live in close quarters with little access to health care or education, are especially vulnerable to diseases such as HIV/AIDS or malaria. Research has found that, migration is very closely linked to the problem of HIV/AIDS. In Africa, with 28 million people infected with HIV/AIDS, migrants are two and a half times more likely to be infected with HIV than non-migrants.¹¹⁵ In fact, in Africa generally mine workers are especially prone to HIV/AIDS.¹¹⁶ 30% of migrant mine-workers in South Africa are infected with the virus.¹¹⁷ More disturbingly, women working in the areas close to the mine workers' living quarters are estimated to have an infection rate as high as 80%.¹¹⁸ When the workers return home to their wives they often carry the disease with them.¹¹⁹ Research has found that in two-thirds of migrant couples it is the man who tests positive first and then carries the infection to his wife.¹²⁰ When women seek sexual partners during the absence of their husbands they then continue to spread the disease.

Both documented and undocumented migrants are often ignored or forgotten by governments that cannot or will not assist migrants in need of social or health assistance.¹²¹ Unskilled migrants that are leaving in the hope of finding a better future are very often forced to face the crashing of their dreams for a better life. Living in inadequate housing unregistered migrants and their family have often no access to information, or even the basic health care. In Kenya, for example, migrants are often marginalized by society and separated from traditional support structures what leads to higher maternal and child mortality rates caused by the women's lack knowledge of and access to basic reproductive health programs.¹²²

Brain Drain and Brain Circulation

Finally, the migration of skilled workers is a key problem to state-level development.¹²³ Today, skilled professionals, seeing no opportunities for employment in their region, are moving to more developed areas where they can work at their level of qualification.¹²⁴ This kind of migration, the so-called brain drain, denies the home country the positive impacts of skills that they have invested in through their educational system.¹²⁵ Migrating within a region, however, allows more advanced or technical skills to stay in the same region.¹²⁶ In such situations,

¹¹¹ Nolen, *28 stories of AIDS in Africa*, 2007, p.72.

¹¹² United Nations, *The Millennium Development Goals Report 2007*, p.14.

¹¹³ Koser, *International Migration. A Very Short Introduction*, 2007, p.92.

¹¹⁴ *Ibid.*, p.12.

¹¹⁵ Nolen, *28 stories of AIDS in Africa*, 2007, p.127.

¹¹⁶ AIDS and Rights Alliance for Southern Africa, *The mining sector, tuberculosis and migrant labour in southern Africa*, 2008.

¹¹⁷ Nolen, *28 stories of AIDS in Africa*, 2007, p.127.

¹¹⁸ *Ibid.*

¹¹⁹ AIDS and Rights Alliance for Southern Africa, *The mining sector, tuberculosis and migrant labour in southern Africa*, 2008.

¹²⁰ *Ibid.*

¹²¹ International Organization for Migration, *Migration Initiatives Appeal 2008*, p.16.

¹²² *Ibid.*

¹²³ Adepoju, *Fostering free movement of persons in West Africa: achievements, pitfalls and prospects for intra-regional migration*, p.4.

¹²⁴ *Ibid.*

¹²⁵ Hofmeier & Mehler, *Kleines Afrika-Lexikon*, 2004, p.41.

¹²⁶ *Ibid.*

brain drain becomes brain circulation, putting skills to use where they are valued most.¹²⁷ Brain circulation allows professionals the chance to work at their level of qualification and to contribute to the development in their destination country.¹²⁸ As long as the destination country is in the same region as the migrant's country of origin, such development will theoretically assist the originating country as well. Development of areas traditionally has an impact on the less developed surroundings slowly spreading development.¹²⁹

Conclusion

Intra-Regional Migration has many aspects and therefore the impact on development varies greatly. There are the different groups of migrants, that present various problems and the different fields that migration touches such as economical, social, political, legal issues. Obviously migration in each region and also State is not alike and so the task of handling the topic is challenging.

Several important questions remain for consideration in order for the AfDB to fully and meaningfully consider and address the challenges while benefitting from the advantages of migration in Africa. How is the development situation at the state and regional levels? What kind of migration takes place? Is the country an immigration or emigration country? Who migrates and what are the reasons for the people to migrate? At the state level, does migration support or hindering development? Why is this so? How can the negative impacts of migration be reduced and the positive ones fostered? What (regional) organizations besides the AfDB deal with those issues, what programs are in place, and what are their goals, benefits, and shortcomings? Need the negative impacts of intra-regional migration on development to be addresses at the local, national, regional, or international level? What approaches are both effective and enforceable among AfDB Member States?

II. Promoting Regional Trade and Integration

*Established at a time when most of our regional member countries had just gained their independence, the Bank represented a symbol of this new era. It also represented the aspiration of African countries to achieve rapid economic and social development. Unlike its other sister multilateral banks, the African Development Bank was thus initially established with only the capital subscription of its African members.*¹³⁰

Regional Trade Agreements in the International System

When looking to promote regional trade and encourage economic integration, there are many different and complex factors to take into consideration. The first and perhaps the largest factor is the role of the World Trade Organization (WTO) in encouraging such actions. With over 150 Member States, the WTO is a very important contributor to trade, at both the regional and global levels.¹³¹ Thus smaller regional banks and organizations, such as the African Development Bank Group (AfDB), are reluctant to promote regional trade agreements without the support of the WTO.¹³² In fact, 41 of the 53 regional AfDB Member States and all 24 of the bank's non-regional Member States are current WTO Member States.¹³³ This complex relationship between the AfDB and the WTO provides one key to understanding the complexity of regional trade agreements (RTA), why RTAs are registered with the WTO and why some never get that far.

It has been argued that RTAs are a violation to the Most Favored Nation Clause of the WTO rules.¹³⁴ The WTO has stipulated "[w]hen a WTO member enters into a regional integration arrangement through which it grants more favorable conditions to its trade with other parties to that arrangement than to other WTO members' trade, it departs from the guiding principle of non-discrimination [...]."¹³⁵ Simply put, when a State joins the WTO, it is already granted favorable trade condition with all other WTO Member States: it is a most favored nation. The matter is

¹²⁷ *Ibid.*

¹²⁸ Koser, *International Migration. A Very Short Introduction*, 2007, p.53.

¹²⁹ Adepoju, *Changing Configurations of Migration in Africa*, 2004.

¹³⁰ Kabbaj, *The 40th Anniversary of the Bank's Establishment*, 2004.

¹³¹ World Trade Organization, *Members and Observers*, 2008.

¹³² *Ibid.*

¹³³ African Development Bank, *African Development Bank Group: Countries*, 2008.

¹³⁴ World Trade Organization, *WTO's Rules*, n.d.

¹³⁵ *Ibid.*

complicated when a WTO Member State enters into a RTA with other states and grants favorable terms to its RTA partners exceeding the benefits given to fellow WTO Member States. By so doing, the State violates an important WTO clause stipulating that each WTO Member State receive the most favorable terms of trade available from all other WTO Member States.¹³⁶ WTO Member States are permitted to enter into these types of arrangements as long as they abide by specific conditions that are explained in Paragraphs 4 to 10 of Article XXIV of the *General Agreement on Tariffs and Trade* (GATT), the so-called Enabling Clause, and also Article V of the *General Agreement on Trade in Services* (GATS).¹³⁷ Some economists have warned, however, that if the global trading system allows countries to enter into RTAs and Free Trade Agreements (FTA) then each region will in fact enter into RTAs, and with every region entering these agreements, there is the possibility of posing a threat to multilateral liberalization.¹³⁸

The previously mentioned WTO clauses are less stringent, however, in cases involving developing states. For example, when developed countries grant special trade concessions to developing countries, developing states are not expected to make matching offers in return.¹³⁹ The explanation for this dynamic is that both the GATT and the GATS rules and regulations provide some level of preferential treatment for developing States.¹⁴⁰

Regional Trade Agreement in Africa

RTAs in Africa have sometimes been considered as a potential threat to regionalism.¹⁴¹ Similar unsuccessful regionalism in both Latin America and Asia has proven to be a second-best approach to multilateral liberalization, while successful regionalism would have made the international trading system a less desirable option.¹⁴² This is due to the fact that many RTAs between developed and developing countries are driven by the desire to secure dynamic market opportunities and gaining a competitive advantage over countries not party to the agreement.¹⁴³ This implies that the stabilizing benefits present in the international trading system would be secondary to the benefits received from being a part of RTAs and ultimately leads to the assumption that multilateralism is threatened by regionalism.¹⁴⁴ However, many have argued that African RTAs are not a threat to multilateralism, as they have not yet succeeded in excluding non-participating trading partners from any business opportunities.¹⁴⁵ To clarify, this means that the parties of the agreement are not managing to secure dynamic market opportunities by gaining a comparative advantage over those not member to the agreement. It can therefore be concluded that promoting regional trade and integration in Africa can be done successfully and with the support of their trading partners across the globe and the WTO.

Africa's Experiences and Challenges with Regional Trade and Integration

The African continent is slowly but surely making necessary strides towards development.¹⁴⁶ Progress thus far has included "[p]olicy changes and improved governance and management [leading] to the highest rates of sustained growth since the days of independence."¹⁴⁷ However, Africa's position in the world trading system remains less than ideal and, in combination with uneven development on the continent, has led to extremely divergent socioeconomic situations for decades throughout Africa.¹⁴⁸ These mixed results are due to the lack of exports, infrastructure, and production capabilities in Africa, and this leads to the assumption that trade is vital for the continent's long-term sustainable development.¹⁴⁹ This is especially true of trade within sub-Saharan African and

¹³⁶ *Ibid*

¹³⁷ World Trade Organization, *WTO's Rules*, n.d.

¹³⁸ Frankel, Stein, & Wei, *Regional Trading Blocs in the World Economic System*, 1997.

¹³⁹ World Trade Organization, *Differential and more favorable treatment reciprocity and fuller participation of developing countries*, 1979.

¹⁴⁰ *Ibid*.

¹⁴¹ Njinku & Fosso, *Intra-African Trade and Regional Integration*, 2006.

¹⁴² Njinku & Fosso, *Intra-African Trade and Regional Integration*, 2006.

¹⁴³ *Ibid*.

¹⁴⁴ *Ibid*.

¹⁴⁵ *Ibid*.

¹⁴⁶ Organisation for Economic Co-Operation and Development, *Investment Strategies and Financial Tools for Local Development*, 2007.

¹⁴⁷ *Ibid*.

¹⁴⁸ Low, Mchumo & Muyambo, *Africa in the World Trading System: Prospects and Challenges*, 2006.

¹⁴⁹ *Ibid*.

trade with the rest of the world.¹⁵⁰ In a paper prepared by the AfDB for the conference entitled *Accelerating Africa's Development – Five Years into the 21st Century*, it was suggested that the Doha round of trade negotiations, the most current round of the WTO trade negotiations, provides a real promise for African regional trade and economic integration.¹⁵¹ So far the round has not been able to come to a compromise among all parties, in regards to agricultural subsidies and import regulations, and has unfortunately broke down, but the WTO is hopeful that the trade negotiations will resume at the beginning of the new year.¹⁵² “It would be positive for Africa's interests if the suspended Doha trade negotiations were to be resumed, particularly if African governments are clear about where their national interests lie and are attentive to the potential opportunities offered by a development-friendly outcome to these negotiations.”¹⁵³

One of the most important aspects of the Doha round of negotiations is agriculture, and its importance to African development cannot be overstated.¹⁵⁴ This is because “[a]gricultural products represented [only] 11 per cent of exports and 14 per cent of imports,” although it accounts for nearly 70% of all employment in Africa and more than a third of GDP.¹⁵⁵ It could be concluded that regional trade agreements might just be the key to promoting African economic development and integration. As demonstrated by the Njikeu and Fosso report that was prepared for the AfDB for the conference on Accelerating Africa's Development, African RTAs are not a threat to multilateralism.¹⁵⁶ In fact, Dominique Njikeu and Bruno Powo Fosso, the leading African economic experts at the AfDB, suggest that African RTAs could be a wonderful tool to not only help promote African integration, but to also promote trade liberalization on a continent-wide level. In their report, they suggest that RTAs can be very positive and useful when a country wants to liberalize, as RTAs can help a developing country become more competitive with their regional partners. More specifically, as claimed in the report prepared for the AfDB and presented at the international conference on Accelerating Africa's Development Five Years into the Twenty-first Century:

[I]nstead if properly designed and implemented RTAs by low-income countries could put in motion competitive liberalization through which countries will fast-track liberalization regionally while being exempted from selected multilateral rules in order to prepare for entering into non-discriminatory, reciprocal liberalization commitments with all trading partners in a multilateral setting.¹⁵⁷

RTAs can play an important trade policy tool that could not only lead to development and economic integration, but could promote political stability as well.¹⁵⁸ It is with this idea in mind, that “African countries have been pursuing the goal of full economic integration.”¹⁵⁹ This should help promote the much-needed advancement of intra-regional trade in Africa. Historically, Africa's regional trade lingers around 10 per cent of both African imports and exports, this is significantly less than many other developing regions.¹⁶⁰ This means that promoting intra-regional trade represents a promising opportunity for trade expansion in Africa over time.¹⁶¹ The Sahel and West Africa Club, an intergovernmental organization affiliated with the Organization for Economic Co-operation and Development, believes that further attention needs to be placed on regional integration.¹⁶² They have reported that the 15 member countries of the Economic Community of West African States (ECOWAS), is “in a phase of demo-economic evolution, [and] now more than ever calls for greater attention to be given to the regional integration process which is now essential due to the populations' extreme mobility (migration).”¹⁶³

¹⁵⁰ *Ibid.*

¹⁵¹ *Ibid.*

¹⁵² *Ibid.*

¹⁵³ *Ibid.*

¹⁵⁴ Lamy, *Moving the Doha Development Agenda Forward*, 2004; and Low, Mchumo & Muyambo, *Africa in the World Trading System: Prospects and Challenges*, 2006.

¹⁵⁵ *Ibid.*

¹⁵⁶ Njikeu & Fosso, *Intra-African Trade and Regional Integration*, 2006.

¹⁵⁷ *Ibid.*

¹⁵⁸ Low, Mchumo & Muyambo, *Africa in the World Trading System: Prospects and Challenges*, 2006.

¹⁵⁹ *Ibid.*

¹⁶⁰ Njikeu & Fosso, *Intra-African Trade and Regional Integration*, 2006.

¹⁶¹ *Ibid.*

¹⁶² Bossard, *Local Development & the Process of Regional Integration*, 2007.

¹⁶³ *Ibid.*

African Trade Integration

Creating and expanding trade within sub-Saharan Africa is not as simple creating incentives for neighboring countries to increase trade with each other. “Clearly, the absence of adequate physical infrastructure is a major constraint on the expansion of intra-African trade, which has probably attenuated the gains that could have accrued from progress in recent years towards lower trade barriers among countries across the continent.”¹⁶⁴ However the lack of infrastructure is not the only hindrance to intra-regional trade in Africa — there is also market size constraints. L. Alan Winter and P. M. G. Martins, World Trade Organization economists, suggest that:

[S]mall and remote economies are inherently uncompetitive primarily because of the misfortune of diseconomies of small scale and high transaction costs. These countries cannot generate adequate quantity and quality of competitive exports; they cannot attract significant amounts of foreign investment. They can strive to overcome the constraints of small internal markets by specializing and trading internationally; however exporting at world prices would either be impossible or generate factor incomes not high enough to address their chronic poverty. Unless proactive and targeted assistance is provided by the international community free trade could mean no trade for these economies.¹⁶⁵

The preceding quote illustrates the point that promoting regional trade and integration will not simply mean increasing the number of transactions that occur among African countries. As agriculture is a production staple in most African countries, increasing the frequency of agricultural trading is not the sole key to regional integration.¹⁶⁶ In fact, it may be argued that countries that have very similar production structures would not benefit from regional integration.¹⁶⁷ This is due to the emphasis placed on intra-regional trade expansion instead of focusing on trade development through improved efficiency.¹⁶⁸ The lack of competitiveness is the primary impediment to trade both regionally and non-regionally, simply promoting trade amongst non-competitive partners is not going to be Africa’s key to success.¹⁶⁹

One of the leading experts on African economic development, Dani Rodrik, argues that trade policy in Sub-Saharan Africa works much the same way as it works around the globe, and trade policy reforms are the key to long-term sustainable economic growth. Rodrik argues that the high level of trade restrictions in place have reduced exports and have been difficult obstacles to overcome, and their reduction can be “expected to result in significantly improved trade performance in the region.”¹⁷⁰ Africa’s unfavorable conditions—poor infrastructure, geography, and a dependency on a limited number of primary products—do not make it “a special case in which exports are not responsive to prices or to the traditional instruments of commercial policy.”¹⁷¹

Another mechanism that Africa could potentially use to promote regional integration and trade is through the establishment of a cohesive customs union. Historically, a custom union is formed to help promote trade creation, or a country’s ability to switch from a high cost domestic producer of a good to a lower cost partner country producer of the same good. Some common features of a customs union include: a common set of import duty rates placed on non-party countries (aka a common external tariff), duty-free and/or quota-free movement of goods by countries member to the union, a common set of standards that apply to similar goods produced in the member countries, and a common trade policy that guides the trading relationship with non-party countries and Member States.¹⁷²

Traditionally a custom union is formed as the third stage of integration after a Preferential Trade Area or FTA is established;¹⁷³ however, in the case of sub-Saharan Africa, some have made the argument that a customs union shall be the first step in achieving African integration. The East African Community (EAC) is one that is making that

¹⁶⁴ *Ibid.*

¹⁶⁵ Winters & Martins, *When Comparative Advantage is not Enough: Business Costs in Small Remote Economies*, 2004, p 347-83.

¹⁶⁶ Low, Mchumo & Muyambo, *Africa in the World Trading System: Prospects and Challenges*, 2006.

¹⁶⁷ Njinku & Fosso, *Intra-African Trade and Regional Integration*, 2006.

¹⁶⁸ *Ibid.*

¹⁶⁹ *Ibid.*

¹⁷⁰ Rodrik, *Trade Policy and Economic Performance in Sub-Saharan Africa*, 1998.

¹⁷¹ *Ibid.*

¹⁷² East African Community, *East African Community Customs Union - The Treaty For The Establishment of the East African Community*, 2008.

¹⁷³ *Ibid.*

argument as they are attempting to establish a customs union and then a monetary union.¹⁷⁴ “[T]he Treaty for the Establishment of the East African Community provides that a Customs Union shall be the first stage in the process of economic integration. Therefore, real economic integration in the region will commence with the coming into being of the Customs Union.”¹⁷⁵ The treaty also provides that after the union a common market will follow, then a monetary union and subsequently a Political Federation.¹⁷⁶

Customs unions have successfully lead to trade creation and reduction in tariffs in the past; however, customs unions can also lead to trade diversion, or the ability to switch from a low cost producer located in another region of the globe to a higher cost producer in the partner country.¹⁷⁷ Previously established customs union have found that the creation of a customs union may lead to trade diversion instead of trade creation, this is because instead of specializing more to increase efficiency, partner countries within the union may substitute each others’ more expensive goods for goods produced by countries outside the union, leading to a loss of efficiency.¹⁷⁸ However, this loss of efficiency due to trade diversion can be prevented by careful adjusting the external tariff, so that the members of the regional customs union “can ensure a gain if they reduce tariffs to the point at which external trade remains at its pre-union level, the countries can ensure that there is no trade diversion.”¹⁷⁹

Making Finance Work in Africa

The African Development Bank is diligently working towards making finance more accessible and has since its establishment in 1964. Established around the time that most of its regional members had just gained independence, the AfDB represents not only the aspiration of African countries to achieve financial independence through rapid economic expansion, but is also a symbol of this new era of African social and economic development.¹⁸⁰ Since its establishment, the AfDB has subscribed to mobilize capital from any possible resource so that it may provide financing for development projects throughout Sub Saharan Africa, where severely limited resources would prevent these projects from coming to fruition.¹⁸¹ Luckily, capital was secured through the creation of the African Development Fund (ADF), that is used to provide concessional financing support of the AfDB's development projects, and the Nigerian Trust Fund (NTF) whose objective is to assist in the development of impoverished regional member countries by providing concessional financing.¹⁸² The NTF has been instrumental in providing finance for economic development and in helping promote regional integration.¹⁸³ Even though Nigeria has had much of their oil revenues squandered away through corruption and mismanagement, the state has still been very generous in donating funds to be used for the NTF.¹⁸⁴

Establishing financial systems throughout sub-Saharan Africa that mirrors the financial system in Egypt could aid many of these developing economies. Currently, “[t]he Egyptian financial sector comprises the banking system, the insurance sector and the capital market. Micro Finance Institutions (MFIs) are also gradually becoming integrated into the financial sector. The sector plays a major role in stimulating development in the country, particularly that of the private sector.”¹⁸⁵ The Egyptian financial sector also has its own problems though — primarily the ratio of performing to non-performing loans, but it provides for a very promising structure that can be fairly easily recreated in other areas in sub-Saharan Africa.¹⁸⁶ However, one of the largest problems facing other African countries in recreating this structure is obtaining the assets and capital needed to provide credit and financial institutions to their country.¹⁸⁷ As leading development economist Jeffrey Sachs has said, providing well-targeted direct assistance to those in extreme poverty will definitely have positive affects, but “this just gets the poor to the bottom rung of the ladder. Helping them to the next rungs is the task of microfinance; building the ladder requires mainstream

¹⁷⁴ *Ibid.*

¹⁷⁵ *Ibid.*

¹⁷⁶ *Ibid.*

¹⁷⁷ Viner, *The Customs Union Issue*, 1950.

¹⁷⁸ *Ibid.*

¹⁷⁹ Njinku & Fosso, *Intra-African Trade and Regional Integration*, 2006.

¹⁸⁰ Kabbaj, *The 40th Anniversary of the Bank's Establishment*, 2004.

¹⁸¹ African Development Bank, *US - S119 - S204 (2002 Annual Report)*, 2002.

¹⁸² OPEC Fund for International Development, *OFID Sister Organizations*.

¹⁸³ *Ibid.*

¹⁸⁴ Central Intelligence Agency, *The World Factbook - Cape Verde*, 2008.

¹⁸⁵ Baldeh, Y., Murara, J., et. al., *Social Fund for Development: Micro and Small Enterprises Support Project*, 2006.

¹⁸⁶ *Ibid.*

¹⁸⁷ *Ibid.*

finance.”¹⁸⁸ The World Bank has reported that “[a]ll across Africa, access to finance is rightly seen as the key to unlocking growth for poor farm families as much as for expanding export firms.”¹⁸⁹ But while access to funds is desperately needed, it is not the only thing needed to establishing a working financial system throughout Africa. An effective and inclusive means of channeling funds as well as other financial services to the areas where they can be utilized most effectively is also needed.¹⁹⁰ This is also in addition to scaling up resources to develop the financial sector in Africa and cooperation among African Governments to implement effectively a well-built financial system.¹⁹¹

Money laundering and terrorist financing also present viable threats to the stability of financial systems in West Africa for obvious reasons.¹⁹² The financial system needs to be developed in a way that can drive private investment, increase employment opportunities, and stimulate economic growth simultaneously.¹⁹³ While establishing a strong financial sector in Africa seems easy enough, there are many obstacles including uncomplimentary policy reforms, poor governmental and legal institutions, and inadequate information gathering infrastructures. This would include reforming state dominated banking systems throughout Africa to aid in improving the efficiency of the institutions and the capability of the financial institutions in serving the ever-growing African population.¹⁹⁴

Large strides have been made in the race for financial stability, but it is apparent that national financial sector performance is still falling short of its potential.¹⁹⁵ However, a strong microfinance movement with growing links between mainstream banks and microfinance institutions illustrate the adaptation of traditional organizational structures to local conditions.¹⁹⁶ Microfinance, and more specifically microcredit, has deep roots in Africa as well as strong organic growth¹⁹⁷. Microcredit is the extension of very small loans to seemingly uncreditworthy individuals who could not meet even minimal qualifications to gain access to credit. In the report developed by the International Bank for Reconstruction and Development, *Making Finance Work for Africa*, lead economists at the World Bank Honohan & Beck suggests that:

A new wave of intermediaries, many of them market based, has begun to adopt new approaches that promise to address the special challenges that confront financial development in the region. Cell-phone technology is being used for retail payments and for price transparency. Modern technology also underlies the surge of retail lending in several African countries.¹⁹⁸

As illustrated by this report, adapting financial technologies is having a positive effect in Africa and will continue to have positive effects as long as the financial intermediaries continue to be flexible and adaptive.

Conclusions

Promoting African integration and regional trade is not as simple to achieve as other regions may have made it seem to be. The path to an integrated Africa with long-term sustainable growth and regional trade is plagued with many obstacles. Many have argued that free trade is what is needed to help make Africa competitive in the world market; however, many have also argued that “[u]nless proactive and targeted assistance is provided by the international community free trade could mean no trade for these economies.”¹⁹⁹ Obviously the financial sector throughout Africa needs to be strengthened, but many African countries find themselves confronting difficult problems such as how to get credit to more readily flow to where it can boost growth, how to best design regulations for banking

¹⁸⁸ The World Bank, *Africa Region: Making Finance Work for Africa*, 2006.

¹⁸⁹ Honohan & Beck, *Making Finance Work for Africa*, 2007.

¹⁹⁰ *Ibid.*

¹⁹¹ *Ibid.*

¹⁹² All Africa, *Liberia: Money Laundering Threatens Financial Systems, GIABA Boss Discloses*, 2008.

¹⁹³ *Ibid.*

¹⁹⁴ World Bank, *Reforming State-Dominated Banking Systems in Africa: Financial Adjustment and Technical Assistance Programs*, 1996.

¹⁹⁵ All Africa, *Liberia: Money Laundering Threatens Financial Systems, GIABA Boss Discloses*, 2008; World Bank, *Reforming State-Dominated Banking Systems in Africa: Financial Adjustment and Technical Assistance Programs*, 1996.

¹⁹⁶ World Bank, *Reforming State-Dominated Banking Systems in Africa: Financial Adjustment and Technical Assistance Programs*, 1996.

¹⁹⁷ The World Bank, *Africa Region: Making Finance Work for Africa*, 2006; World Bank, *Reforming State-Dominated Banking Systems in Africa: Financial Adjustment and Technical Assistance Programs*, 1996.

¹⁹⁸ Honohan & Beck, *Making Finance Work for Africa*, 2007.

¹⁹⁹ Njinkeu & Fosso, *Intra-African Trade and Regional Integration*, 2006.

systems and microfinance institutions, and how to get more finance for long term and/or riskier projects, to just name a few. Solutions will require more than an increase in financing, but also a successful and sustainable system able to manage the assets and a successful investment plan.²⁰⁰ Reforming the banking and financial systems throughout the continent already in place will also need to be addressed. In this line, some have argued that large international financial organizations are not what is needed to implement these reforms, but local individuals should be charged with implementing reforms that reflect the philosophical and political views of the geographical area.²⁰¹

Njinkou and Fosso suggest a plan of action be put in place to aid Africa in the bumpy road that lies ahead.²⁰² Some of the important elements that lie on that plan of action include:

1. Setup of an appropriate infrastructure to support the movement of goods;
2. Harmonization and simplification of legislation, procedures and formalities related to imports, exports and transit;
3. Modernization of all relevant actors and procedures through increased automation;
4. Alignment of the rules and procedures with international standards;
5. National, cross-border and permanent regional coordination; and
6. Establishment of a mechanism of information dissemination between the authorities and users.²⁰³

When considering the topic of promoting regional trade and integration in Africa, there are some important questions that must be considered. These include addressing what has already been done to tackle the issue, and researching what the outcomes of those attempts were, and including what regional programs and organizations are already in place to assist in the task at hand, and what is the most effective way to approach the situation. These issues are very important, as well as difficult, and to be productive careful preparations must be made if these issues are going to be solved

III. Strengthening Mechanisms to Prevent Money Laundering and Terrorism Financing

*“There is still a yawning gap between the effort to fight corruption and stem money laundering and the challenge posed by these vices, the huge contribution of MDBs [Multilateral Development Banks] notwithstanding. Bridging the gap requires the joint effort of all stakeholders, including significant initiatives taken by MDBs.... In this regard I am encouraged by the partnership that is beginning to take shape between MDBs, governments, the private sector, and the civil society....”*²⁰⁴

Introduction

The African Development Bank (AfDB) states that “[t]he international community is concerned with the growing incidence of organized crime, corruption, and terrorism and the debilitating effect these problems have on peace, security and development. A successful strategy to address these international threats necessarily involves measures to address money laundering and the financing of terrorism (ML/FT).”²⁰⁵ In its 2007 *Bank Group Strategy for the Prevention of Money Laundering and Terrorist Financing in Africa* (2007 Strategy), the AfDB has attempted to set out the parameters for development and implementation of such a strategy that deals with the threats of ML/FT in an uniquely African context. The AfDB defines money laundering as “a process whereby the origin of funds generated by illegal means is concealed.”²⁰⁶ This definition is in line with the standard ML definition adopted by the

²⁰⁰ Organisation for Economic Co-Operation and Development, *Investment Strategies and Financial Tools for Local Development*, 2007.

²⁰¹ Tandon, *Africa: The Committed Intellectual - Reviving and Restoring the National Project*, 2008.

²⁰² Njinkou & Fosso, *Intra-African Trade and Regional Integration*, 2006.

²⁰³ *Ibid.*

²⁰⁴ African Development Bank, *Recovering Africa’s stolen assets: the next frontier in the fight against corruption*, 2008. An interview with Gabriel Negatu, Director of the Bank Group’s Governance, Economic and Financial Reforms Department (OSGE). The quoted portion here is in answer to the question: “In your view, do you think these MDBs are doing enough to rid the continent of these vices [corruption and money laundering]?”

²⁰⁵ African Development Bank, *Bank Group Strategy for the Prevention of Money Laundering and Terrorist Financing in Africa*, 2007, p.1.

²⁰⁶ *Ibid.*, para. 2.2.

1988 *United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances* (Vienna Convention) and the 2000 *United Nations Convention Against Transnational Organized Crime* (Palermo Convention).²⁰⁷ It is also in line with the Financial Action Task Force's (FATF) definition of ML as "the processing of... criminal proceeds to disguise their illegal origin."²⁰⁸

Money laundering and the financing of terrorism are global problems. While ML is difficult to quantify precisely, due to the fact its entire goal is concealment, the International Monetary Fund (IMF) estimates that ML occurs at a rate of \$1.5 trillion every year.²⁰⁹ The African Development Bank states that "[r]eliable estimates of how much money is being laundered in Africa are [hard] to obtain," although, "there is no country on the continent where the amount of illicit money generated ... is believed to be negligible."²¹⁰ Money laundering undermines the stability and integrity of the global financial system and of local economies, breeds corruption and threatens national and international security.²¹¹ Crime undermines social and human capital; it erodes social and political stability and negatively impacts the state's capacity for development.²¹² Money from crime fosters corruption, which in turn destroys the integrity of the legal system.²¹³ In a developing state, with an already fragile governance system, and institutions already struggling for public trust, the consequences of this can be even more serious.²¹⁴

The World Bank states that ML is "a fundamentally simple concept" involving "the proceeds of criminally derived property rather than the property itself."²¹⁵ Conceptually simple, perhaps, but ML is nonetheless, in practice, a complex issue, constantly evolving as criminals adapt their methods to incorporate new and better technologies and opportunities to avoid detection.²¹⁶ ML occurs through numerous methods; "internet services, on-line banking and new electronic payment technologies, international companies and shell companies, trade and false invoicing for the supply of goods or services, real estates, art, diamonds, and gold and other precious metals" are some of the methods recognized by the AfDB's *Strategy*, but the list is by no means exhaustive.²¹⁷ Money launderers and terrorist organizations also use informal transactions, such as remittance payments, which are even more difficult for law enforcement agencies to track.²¹⁸ The process of ML can be divided into three stages: placement, layering, and reintegration. During the placement stage, funds generated by crime are introduced into the financial system; layering is the process of multiple transactions and movements of funds between locations and institutions; and finally, reintegration is the entrance of laundered funds into the economy as clean money.²¹⁹ Terrorist groups use the same methods as money launderers to conceal where their money comes from and where it goes; like ML, the very nature of the crime makes it hard to detect and quantify, and reliable estimates are not currently available.²²⁰ Making the detection of terror funds even more difficult is the fact that amounts involved are not as large as one might suspect; the 1998 bombings at the United States (US) embassies in East Africa are estimated to have cost less than \$10,000, and even the September 11, 2001 attacks in the US involved less than half a million dollars.²²¹

The international community has made efforts to be proactive in countering ML and combating the financing of terrorism (CFT), placing special emphasis on the necessity for international cooperation and coordination.²²² The

²⁰⁷ Schott, *Comprehensive Reference Guide to AML/CFT*, 2003, p. I-2.

²⁰⁸ *Ibid.*, p.I-2; Financial Action Task Force, *Money Laundering FAQ*.

²⁰⁹ African Development Bank, *Bank Group Strategy for the Prevention of Money Laundering and Terrorist Financing in Africa*, 2007, paragraphs 2.1-2.7; Hübschle, *Terrorist financing in southern Africa: Are we making a mountain out of a molehill?*, 2007, p.2.

²¹⁰ African Development Bank, *Bank Group Strategy for the Prevention of Money Laundering and Terrorist Financing in Africa*, 2007, paragraph 2.1; Moshi, *Fighting Money Laundering: The challenges in Africa*, 2007, p.2.

²¹¹ GOPAC, *Report on GOPAC/APNAC/IMF Anti-Money Laundering Workshop*, 2003, p.2.

²¹² Moshi, *Fighting money laundering: The challenges in Africa*, 2007, p.1.

²¹³ *Ibid.*, p.1.

²¹⁴ *Ibid.*, p.2.

²¹⁵ Schott, *Comprehensive Reference Guide to AML/CFT*, 2003, p. I-1.

²¹⁶ GOPAC, *Report on GOPAC/APNAC/IMF Anti-Money Laundering Workshop*, 2003, p.2.

²¹⁷ African Development Bank, *Bank Group Strategy for the Prevention of Money Laundering and Terrorist Financing in Africa*, 2007, para. 2.3.

²¹⁸ *Ibid.*, para. 2.4.

²¹⁹ *Ibid.*, para.2.2.

²²⁰ Moshi, *Fighting money laundering: The challenges in Africa*, 2007, p.3.

²²¹ Hübschle, *Terrorist financing in southern Africa: Are we making a mountain out of a molehill?*, 2007, p.1.

²²² African Development Bank, *Bank Group Strategy for the Prevention of Money Laundering and Terrorist Financing in Africa*, 2007, paragraph 2.9.

Group of 7 (G7), for example, first placed terrorism on its agenda in 1978 with its *Bonn Statement on Air Hijacking*.²²³ Ten years later, when the United Nations (UN) adopted the 1988 *United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances* (Vienna Convention) the sections regarding ML were limited in scope to the laundering of funds generated through criminal activities related to drug trafficking.²²⁴ In 1997, the Anti-Money Laundering Unit (AMLU) of the United Nations Office on Drugs and Crime (UNODC) established the Global Programme against Money Laundering (GPML) as a response to the Vienna Convention, and in 1998 GPML was expanded in scope beyond drug-related offences.²²⁵ In 1999 the UN adopted the *International Convention for the Suppression of the Financing of Terrorism*, in recognition of “the urgent need to enhance international cooperation among States in devising and adopting effective measures for the prevention of the financing of terrorism.”²²⁶ The 2000 *Convention Against Transnational Organized Crime* (Palermo Convention), in a section dealing with the “[c]riminalization of the laundering of proceeds of crime,” states that each State Party to the convention shall apply the terms of the convention to the “widest range of predicate offences.”²²⁷ That wider range of predicate offences includes “[r]ecognising [sic] the vital importance of taking action to combat the financing of terrorism.”²²⁸

In 1989 the G7 created the FATF to aid in the international fight against ML, and in 1990 the FATF issued a list of *Forty Recommendations on Money Laundering* (40 Recommendations) to guide Anti-Money Laundering (AML) efforts.²²⁹ According to its website, “[t]he Financial Action Task Force is an inter-governmental body whose purpose is the development and promotion of national and international policies to combat money laundering and terrorist financing.”²³⁰ The FATF works to generate public support for action in individual countries to create legislative and regulatory AML/CFT mechanisms and also assists states with the creation of those AML/CFT institutions.²³¹ The 40 Recommendations provide a comprehensive set of principles for countries and allow for implementation tailored to the unique legislative and institutional circumstances of the implementing country, without restricting legitimate economic activity or freedoms.²³² In its commitment to meeting the ever-evolving challenges of ML, the FATF reviewed and revised its 40 Recommendations in 1996 and again in 2003; also, it occasionally offers Interpretive Notes to its Recommendations, seeking to clarify and offer guidance in the application of the Recommendations.²³³ Extending its focus into the field of CFT, since 2001 the FATF has adopted 9 Special Recommendations to assist in CFT efforts and issued a plan of action for implementation of these standards; together these are commonly referred to as the 40+9 Recommendations. No fewer than five UN Security Council (UNSC) Resolutions [1267(1999), 1373(2001), 1540(2004), 1566(2004), and 1624(2005)] since 1999 have called upon Member States to join in the fight against terrorism, including FT.²³⁴ Furthermore, UNSC *Resolution 1617(2005)* “[s]trongly urges all Member States to implement the comprehensive, international standards embodied in the Financial Action Task Force’s (FATF) Forty Recommendations on Money Laundering and the FATF Nine Special Recommendations on Terrorist Financing.”²³⁵

The AfDB's 2007 *Strategy* recognizes that the prevention of terrorist activities is an important challenge and that cutting off terrorist groups from their sources of funding is one way of addressing that challenge.²³⁶ The 2007 *Strategy* presents four key areas for action. First, in recognition that the AfDB is not immune from the activities of

²²³ Masciandaro, *Combating Black Money*, p.5.

²²⁴ United Nations, *United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances*, 1988, para. 1.

²²⁵ United Nations Office on Drugs and Crime, *GPML Mandate*.

²²⁶ United Nations, *International Convention for the Suppression of the Financing of Terrorism*, 1999, p.2.

²²⁷ United Nations General Assembly, *United Nations Convention against Transnational Organized Crime*, 2001, Article 6 Paragraph 2(a).

²²⁸ Financial Action Task Force, *9 Special Recommendations on Terrorist Financing*.

²²⁹ Financial Action Task Force. *About the FATF*.

²³⁰ Financial Action Task Force. *FATF*.

²³¹ Financial Action Task Force. *About the FATF*.

²³² *Ibid*; Financial Action Task Force, *The 40 Recommendations*.

²³³ *Ibid*.

²³⁴ United Nations Office on Drugs and Crime, *GPML Mandate*.

²³⁵ Financial Action Task Force, *Terrorist Financing*; United Nations Security Council, *Threats to international peace and security caused by terrorist acts (S/RES/1617)*, 2005.

²³⁶ African Development Bank, *Bank Group Strategy for the Prevention of Money Laundering and Terrorist Financing in Africa*, 2007, para. 2.8.

money launderers, the Bank will tighten its internal safeguards against becoming a target or instrument of money laundering and other financial abuse.²³⁷ Second, through collaboration with other international organizations, the AfDB will assist Regional Member Countries (RMCs) in implementing international AML/CFT standards.²³⁸ Third, the AfDB will assist RMCs in developing national legal institutions, including financial investigation units, to support the capacity for compliance with international AML/CFT standards.²³⁹ Fourth, the AfDB will support the development of sub-regional FATF-Style Regional Bodies (FSRBs).²⁴⁰ The 2004 creation of the AfDB's internal Anti-Money Laundering Group, coupled with the Bank's ongoing collaborations with other organizations, such as a partnership with the IMF to study the possible contribution of remittance technologies to ML/FT, represents a serious effort by the Bank to respond to "the danger that money laundering and the financing of terrorism may establish a foothold in the fragile financial systems of African countries."²⁴¹

FSRBs and other initiatives

FSRBs are an important element in the promotion and implementation of AML/CFT standards within their respective regions.²⁴² Like the FATF, AML/CFT is the main objective of these bodies and they encourage adoption of the FATF's 40+9 Recommendations.²⁴³ Each FSRB's members perform mutual evaluations to identify weaknesses and offer suggestions for better success.²⁴⁴ They also provide information to their respective members about trends, new techniques and other ML/FT developments.²⁴⁵ FSRBs serve as an important point of contact and cooperation for the global AML/CFT effort; the GPML, for example, sits as an observer with the FATF and also with eight FSRBs, including the Eastern and South African Anti Money Laundering Group (ESAAMLG), the Inter-Governmental Action Group against Money Laundering and Terrorist Financing in West Africa (GIABA), and the Middle East and North Africa Financial Action Task Force (MENAFATF).²⁴⁶

The Eastern and South African Anti Money Laundering Group, comprised of 14 Member States, was founded in 1999 and is recognized by the FATF as an FSRB.²⁴⁷ ESAAMLG has a very straightforward mission: "[t]o combat money laundering and terrorist financing in the Eastern and Southern African region through the implementation of AML/CFT international standards."²⁴⁸ ESAAMLG's *Strategic Plan 2005-2008* recognizes that the successful implementation of AML/CFT measures can have great benefits for a state, including a more stable financial sector, improved creditworthiness, and an increased capacity for law enforcement to combat crime and all its related negative impacts.²⁴⁹

The ESAAMLG *Strategic Plan* acknowledges that any success must be measured by results, and declares that it will assist Member States in the development of technical and institutional capacities for implementing AML/CFT strategies.²⁵⁰ The *Strategic Plan* notes that not all Member States are at the same stage of the development of their AML/CFT capacities and sets out differing objectives based upon whether a Member State is "less advanced," "moderately advanced," or "advanced," and calls upon members with more advanced capacities—such as South Africa and Mauritius, each of which has a well-established Financial Intelligence Unit (FIU) as called for by the FATF—to assist their fellow ESAAMLG members in meeting international standards.²⁵¹ ESAAMLG is investigating the feasibility of a regional training center for AML/CFT practitioners, to be developed in possible

²³⁷ *Ibid.*, p.ii-iii.

²³⁸ *Ibid.*

²³⁹ *Ibid.*

²⁴⁰ *Ibid.*

²⁴¹ United States Treasury Department, *African Development Bank Group*, 2006.

²⁴² Schott, *Comprehensive Reference Guide to AML/CFT*, 2003, p.IV-1.

²⁴³ *Ibid.*, p.IV-2.

²⁴⁴ *Ibid.*

²⁴⁵ Schott, *Comprehensive Reference Guide to AML/CFT*, 2003, p.IV-2.

²⁴⁶ *Ibid.*; United Nations Office on Drugs and Crime, *Partnerships*, 2008.

²⁴⁷ Eastern and South African Anti-Money Laundering Group, *Strategic plan 2005-2008*, 2005, p.4; Schott, *Comprehensive Reference Guide to AML/CFT*, 2003, p.IV-3.; ESAAMLG Member States include Botswana, Kenya, Lesotho, Malawi, Mauritius, Mozambique, Namibia, South Africa, Swaziland, Seychelles, Tanzania, Uganda, Zambia, Zimbabwe.

²⁴⁸ Eastern and South African Anti-Money Laundering Group, *Strategic plan 2005-2008*, 2005, p.5.

²⁴⁹ *Ibid.*, p.4.

²⁵⁰ *Ibid.*

²⁵¹ *Ibid.*, p.5 and p.13-14.

partnership with the UN and overseen by the ESAAMLG Secretariat.²⁵² This demonstrates a focus in the ESAAMLG approach on regional cooperation in AML/CFT initiatives, a focus further demonstrated by the organization's provision for mutual evaluations among Member States of each other's progress in developing successful AML/CFT programs.²⁵³

A second well-established FSRB in Africa is the Inter-Governmental Action Group against Money Laundering and Terrorist Financing in West Africa, founded in 1999 by the Economic Community of West African States (ECOWAS).²⁵⁴ In 2006 GIABA revised its mandate to fully incorporate CFT along with its existent focus on AML initiatives.²⁵⁵ GIABA, like ESAAMLG, is an FSRB with a strong emphasis on a regional approach to AML/CFT; GIABA's goal is the protection of West Africa from "the menaces of money laundering and terrorism financing."²⁵⁶ It stresses a commitment "to combat money laundering and terrorism financing and to cooperate with other concerned nations and international organizations to achieve this goal."²⁵⁷

In 2004 states in the Middle East and North Africa (MENA) region formed the Middle East and North Africa Financial Action Task Force as an FSRB in recognition that MENA states should work together to comply with the 40+9 recommendations made by the FATF.²⁵⁸ Like ESAAMLG and GIABA, MENAFATF places special emphasis on the need for regional cooperation in achieving its AML/CFT goals.²⁵⁹ MENAFATF also stresses that any initiatives taken must be "in accordance with the particular cultural values, constitutional framework and legal systems in the member countries."²⁶⁰ FSRBs are not the sole resource for countries looking to strengthen their AML/CFT efforts. In 1998 the United Nations established the International Money Laundering Information Network (IMoLIN) as an internet-based network to "[assist] governments, organizations, and individuals in the fight against money laundering and the financing of terrorism."²⁶¹ Both ESAAMLG and GIABA are partners with the AMLU of the UNODC in the administration of IMoLIN.²⁶²

In 1995, a small group of 14 financial intelligence units (FIUs), looking to improve their own cooperative capacity, established the Egmont Group; it is now a worldwide organization of more than 100 such FIUs.²⁶³ Its goal is to assist FIUs around the world in the fight against financial crimes, including ML/FT, which it does by offering training to personnel, providing financial intelligence information, and serving as a secure source of communications for different FIUs worldwide.²⁶⁴ Several organizations, including the Egmont Group, have proposed the establishment of FIUs as central national agencies for monitoring information related to suspected ML/FT activities, analyzing that information, and then providing reports to the appropriate law enforcement authorities.²⁶⁵ The ability of FIUs "to transform data into financial intelligence information is a key element in the fight against money laundering and the financing of terrorism."²⁶⁶ The Egmont Group lists four FIUs in Africa: the Egyptian Money Laundering Combating Unit (EMLCU), the Nigerian Financial Intelligence Unit (NFIU), the

²⁵² *Ibid*, p.15.

²⁵³ *Ibid*, p.15.

²⁵⁴ Financial Action Task Force, *Intergovernmental Anti-Money Laundering Group in Africa (GIABA)*.

²⁵⁵ *Ibid*.

²⁵⁶ Inter-Governmental Action Group against Money Laundering and Terrorist Financing in West Africa, *About GIABA*, 2008.

²⁵⁷ *Ibid*.

²⁵⁸ MENAFATF, *About MENAFATF*, 2007.

²⁵⁹ *Ibid*; Eastern and South African Anti-Money Laundering Group, *Strategic plan 2005-2008*, 2005, p.5; Inter-Governmental Action Group against Money Laundering and Terrorist Financing in West Africa, *About GIABA*, 2008

²⁶⁰ MENAFATF, *Objectives*, 2007.

²⁶¹ United Nations Office on Drugs and Crime, *IMoLIN*, 2007; United Nations Office on Drugs and Crime, *International Money-Laundering Information Network (IMoLIN)/Anti-Money-Laundering International Database (AMLID)*, 2008.

²⁶² United Nations Office on Drugs and Crime, *International Money-Laundering Information Network (IMoLIN)/Anti-Money-Laundering International Database (AMLID)*, 2008.

²⁶³ Egmont Group, 2008, *Major meeting of FIUs in Korea progresses the fight against money laundering and terrorist financing*; United States Department of the Treasury Financial Crimes Enforcement Network, *Egmont Group of Financial Intelligence Units*.

²⁶⁴ United States Department of the Treasury Financial Crimes Enforcement Network, *Egmont Group of Financial Intelligence Units*.

²⁶⁵ United Nations Office on Drugs and Crime Anti-Money Laundering Unit, *An overview of the UN conventions and other international standards concerning anti-money laundering and countering the financing of terrorism*, 2007, p.91.

²⁶⁶ Egmont Group, *Major meeting of FIUs in Korea progresses the fight against money laundering and terrorist financing*, 2008.

Financial Intelligence Unit in Mauritius, and the Financial Intelligence Centre (FIC) of South Africa.²⁶⁷

Case Study: South Africa

The IMF states that "[t]he international community has made the fight against money laundering and terrorist financing a priority."²⁶⁸ South Africa, which is the only African member of the FATF, is one example in Africa of national AML/CFT efforts that have seen some success. Throughout the 1990s South Africa took several legislative steps to counter ML activities, culminating in the "Financial Intelligence Centre Act (FICA) 38 of 2001, which create[d] the administrative framework for money laundering control."²⁶⁹ The mission of South Africa's Financial Intelligence Centre is "[t]o establish and maintain an effective policy and compliance framework and operational capacity to oversee compliance and to provide high quality, timeous [sic] financial intelligence for use in the fight against crime, money laundering and terror financing in order for South Africa to protect the integrity and stability of its financial system, develop economically and be a responsible global citizen."²⁷⁰ In addition to the FICA, South Africa also adopted the 1997 *Proceeds of Crime Act*, the 1998 *Prevention of Organised Crime Act* (POCA), the 2000 *Money Laundering Control Act*, and the 2004 *Protection of Constitutional Democracy against Terrorism and Related Activities Act* (POCDATARA), to "specifically address terrorist financing."²⁷¹ Evaluating South Africa for membership in 2003, FATF stated "that South Africa has developed a comprehensive legal structure to combat money laundering."²⁷²

The rise during the 1990s of a group called the People Against Gangsterism and Drugs (PAGAD) demonstrates the value to law enforcement of a well-structured legal AML/CFT framework. PAGAD began as a vigilante organization opposed to the increase of drug crimes in Cape Town's poor townships.²⁷³ PAGAD was subsequently taken over, however, by Islamist-based terrorists believed to have ties to Saudi-based money and is believed to have been involved in the late 1990s nightclub bombings in South Africa.²⁷⁴ The investigation by South African authorities into the activities of PAGAD is one of the events which led to the POCA and POCDATARA laws, and illustrates how activities which are not explicitly financial in nature may be addressed through the legal infrastructure of an AML/CFT regime.²⁷⁵

Of further concern for South Africa is the prevalence of its informal economic sector.²⁷⁶ In 2002-2003, the informal sector made up approximately 30% of South Africa's economy, employing 1 in 4 workers.²⁷⁷ The migrant population, in particular, is heavily involved in this sector. Oftentimes, banks are unable to permit asylum seekers and migrants to open accounts, as they lack the state's 13-digit identity number required by FICA regulations.²⁷⁸ Also, 1 in 3 South African adults are without access to banking because they cannot afford the startup fees involved with opening an account.²⁷⁹ As a result, millions of South Africans must operate outside the formal banking system.²⁸⁰ Since many of the controls and measures put in place by FICA depend upon the monitoring of banking activity, millions of people in South Africa live outside of the country's AML/CFT framework.²⁸¹ Recognizing that activity which occurs in the informal sector cannot be regulated and so remains beyond the reach of any AML/CFT regime, South Africa has attempted to engage a greater percentage of its population in the formal economy by

²⁶⁷ United States Department of the Treasury Financial Crimes Enforcement Network, *Egmont Group of Financial Intelligence Units*.

²⁶⁸ International Monetary Fund, *The IMF and the Fight against Money Laundering and the Financing of Terrorism*, 2008.

²⁶⁹ de Koker, *Money Laundering in South Africa*, 2002, p.3.

²⁷⁰ Financial Intelligence Centre, *Organisation Profile*, 2008.

²⁷¹ Hübschle, *Terrorist financing in southern Africa: Are we making a mountain out of a molehill?* 2007, p.4; *Hi-Tech Security Solutions*, 2003.

²⁷² SouthAfrica.info, *SA joins anti-dirty money body*, 2003.

²⁷³ Lyman and Morrison, *The terrorist threat in Africa*, 2004, p.79

²⁷⁴ *Ibid*, p.79-80.

²⁷⁵ Hübschle, 2007, *Terrorist financing in southern Africa: Are we making a mountain out of a molehill?* p.4.

²⁷⁶ Bester et al, *Implementing FATF standards in developing countries and financial inclusion: Findings and guidelines*, 2008, p.134.

²⁷⁷ *Ibid*, p.135.

²⁷⁸ Lyman and Morrison, "The terrorist threat in Africa," 2004, p.5.

²⁷⁹ Bester et al, *Implementing FATF standards in developing countries and financial inclusion: Findings and guidelines*, 2008, p.iiix.

²⁸⁰ *Ibid*.

²⁸¹ SouthAfrica.info, *SA joins anti-dirty money body*, 2003.

introducing such initiatives as limited verification requirements for low-value transactions, the provision for third-party verification by the financial institution in certain cases, and permitting for electronic record-keeping.²⁸²

The South African approach demonstrates the value of flexibility in implementation; while there have been successes, such as the country's acceptance into the FATF in 2003, there have also been corrections and adjustments made in plans for implementing the AML/CFT regime in South Africa to avoid impacting the government's broader policy goals. For example, in 2006, a temporary FICA amnesty allowed people to legitimize property that they held in violation of tax laws.²⁸³ At this point in time, however, less than ten years after the passage of the *Money Laundering Control Act* and FICA, a thorough assessment of South Africa's AML/CFT policies is impossible. The data necessary to evaluate the gap between policy and implementation is simply not available. While thousands of reports have been made to the FIC, there is no data available on how many of those reports have led to successful prosecutions for ML and there have yet to be any prosecutions, successful or otherwise, for financing terrorism.²⁸⁴

Conclusion

Money laundering and terrorist financing are issues which have been on the international agenda for decades; the G7 first addressed the issue 30 years ago in 1978 and it has been 20 years since the creation of the FATF. Conventions have been drawn up, resolutions passed, organizations created, standards adopted, and mutual evaluations undertaken. Africa has become increasingly involved in the global AML struggle. South Africa is implementing an extensive legal and institutional framework for addressing ML/FT and has been accepted into the FATF. ESAAMLG, GIABA, and MENAFATF all demonstrate the valuable potential for sub-regional cooperation among African states. Partnering with the UNODC, Namibia has within the past year installed a new technology designed to help in its AML efforts by facilitating the processing of large amounts of banking data.²⁸⁵

Have any of these approaches been effective, or is money laundering as big an issue today as ever? Have there been meaningful successes, or is the problem simply getting worse? To what degree is further international integration of efforts necessary, or for that matter feasible? The AfDB has made it clear that it places a priority on international cooperation; what can the Bank do to enhance its own cooperative efforts with other organizations? How should the emphasis on international cooperation balance against the sovereignty of individual RMCs? What lessons can the AfDB learn from South Africa's experiences with implementing its AML framework, or from Namibia's technological experimentation? What affect may AML/CFT efforts have on members of society not intended as targets, and how can those consequences be minimized, or how should they balance against the necessity for more stringent financial regulation in controlling ML/FT? To what extent is that balance possible, or is the sacrifice of some access an acceptable necessity? How significant an issue is the current lack of available data for evaluation of efforts to date, and what can the Bank do to address that lack?

Annotated Bibliography

African Development Bank Group. (2008). *African Development Bank - Countries*. Retrieved August 26, 2008, from http://www.afdb.org/?_pageid=473,968997&_dad=portal&_schema=PORTAL
The AfDB, established in 1964, is a regional development bank supplying primarily market rate loans to eligible African countries as well as providing expert technical assistance for development related programs in Africa. The AfDB is funded primarily through capital raised by its Member States (shareholders). In 2008, the membership of the AfDB included 53 African states and 24 non-regional members.

African Development Bank Group. (2006). *Annual Report 2006*. Retrieved September 8, 2008, from www.afdb.org/pls/portal/url/page/ADBHome/Finance/AnnualReports
The AfDB annual reports contain a wealth of information regarding the activities of the AfDB over a respective fiscal year including financial information and performance, detailed reports on Bank activities

²⁸² Hübschle, *Terrorist financing in southern Africa: Are we making a mountain out of a molehill?* 2007 p.ix.

²⁸³ *Ibid*, p.146.

²⁸⁴ Hübschle, *Terrorist financing in southern Africa: Are we making a mountain out of a molehill?* 2007, p.7.

²⁸⁵ UN News Centre, *Anti money-laundering technology created by UN agency installed in Namibia*, 2008.

(including work of managers both working directly for the AfDB and for attached institutions such as the NEPAD, developmental projects both economic and social, institutional reforms, and policy directives of the Board of Governors), and Bank accomplishments during that particular year. While these are lengthy documents, delegates looking for detailed information regarding the activities of the bank over a particular year will find these reports invaluable.

African Development Bank Group. (2007). *Annual Report 2007*. Retrieved September 8, 2008, from www.afdb.org/pls/portal/url/page/ADBHome/Finance/AnnualReports

This citation links to the AfDB annual report for 2007. The AfDB annual reports contain a wealth of information regarding the activities of the AfDB over a respective fiscal year including financial information and performance, detailed reports on Bank activities (including work of managers both working directly for the AfDB and for attached institutions such as the NEPAD, developmental projects both economic and social, institutional reforms, and policy directives of the Board of Governors), and Bank accomplishments during that particular year. While these are lengthy documents, delegates looking for detailed information regarding the activities of the bank over a particular year will find these reports invaluable.

African Development Bank Group. (2008, August). *Evolution of the group*. Retrieved August 25, 2008, from http://www.afdb.org/?_pageid=473,968651&_dad=portal&_schema=PORTAL

The African Development Bank was founded in 1964 with the intention of creating a supranational banking institution in Africa that would have a particularly African character and could cater specifically to the special needs of developing countries in Africa. This citation briefly outlines the history of the AfDB and the evolutionary process that incorporated the Nigeria Trust Fund and the African Development Fund into the structure of the AfDB to form the African Development Bank Group.

African Development Bank Group. (2002, May). *The New Partnership for Africa's Development (NEPAD) and the role of the African Development Bank*. Retrieved August 24, 2008, from <http://www.bicusa.org//.Resources.1.aspx>

The New Partnership for Africa's Development (NEPAD) is a strategic initiative designed through the African Union to help combat poverty and enhance social and economic growth in Africa. NEPAD was created, like the AfDB, with the intention that it would be a wholly African institution and, as a result, better suited to serve African interests. AfDB has been actively involved with NEPAD since the creation of the management task force that initially built the structure of the organization and continues to play a leading role in the management of NEPAD.

African Development Bank Group. (2008, August). *Group entities - The Nigeria Trust Fund*. Retrieved August 25, 2008, from http://www.afdb.org/?_pageid=473,968643&_dad=portal&_schema=PORTAL

The Nigeria Trust Fund (NTF) is a fund created in 1976 as a joint venture between the AfDB and the Federal Republic of Nigeria. The initial capital for the fund (80 million USD) was provided by Nigeria and the AfDB agreed to manage the fund as another avenue through which African states could acquire concessional financing. This citation provides a very brief summary of the key features of the NTF.

African Development Bank Group. (2008, May). *Financial Presentation – May 2008*. Retrieved September 5, 2008, from http://www.afdb.org/portal/page?_pageid=473,968873&_dad=portal&_schema=PORTAL

The African Development Bank Group was active in the 2007 fiscal year. During this year the African Development Fund saw a replenishment of almost nine billion USD. The AfDB continued with broad strategic level reforms and saw a great increase in the number of loans issued to the private sector. This citation is a financial presentation summarizing the 2007 AfDB financial statement. It provides data on spending and capital gains, as well as updates on the progress and changes to the strategic initiatives of the AfDB.

African Development Bank Group. (2008, August). *Office of the President*. Retrieved September 5, 2008, from http://www.afdb.org/portal/page?_pageid=473,968715&_dad=portal&_schema=PORTAL

The office of President of the AfDB is a position appointed by the AfDB Board of Governors for a five year term that may be renewed once. The current president of the AfDB is Mr. Donald Kaberuka. Kaberuka is the former minister of Finance and Economic Planning in Rwanda and has been the President of the AfDB

since September 1, 2005.

Agreement Establishing the African Development Bank, 2002. Retrieved October 4, 2008, from

www.afdb.org/pls/portal/url/ITEM/F56CEF0DF7349109E030A8C0668C4DD4

The "Agreement Establishing the African Development Bank" was signed in Khartoum on August 4, 1963, by representatives of 23 African countries. The African Development Bank was founded in 1964 with the intention of creating a supranational banking institution in Africa that would have a particularly African character and could cater specifically to the special needs of developing countries in Africa.

Bank Information Center. (2008, August). Accountability at the AfDB. Retrieved August 25, 2008, from

<http://www.bicusa.org/en/Issue.36.aspx>

In 2003 the AfDB began taking steps to increase transparency and improve accountability in the organization. While this is still an ongoing process the move has already begun to produce results in the form of new policies for disclosure of information and accountability to people affected by AfDB programs (the Citizen Complain Mechanism and Independent Review Mechanism (IRM)). The IRM is a mechanism similar in form and function to the accountability programs of other supranational lenders.

Bank Information Center. (2008, August). African Development Bank. Retrieved August 26, 2008, from

<http://bicusa.org//.1.aspx>

The African Development Bank was founded in 1964 with the intention of creating a supranational banking institution in Africa that would have a particularly African character and could cater specifically to the special needs of developing countries in Africa. Although it faced many initial difficulties including lack of financing, political volatility, and lack of experienced management staff, the AfDB has persisted and is now one of the larger lending institutions in Africa.

Bank Information Center. (2008, August). African Development Bank - Structure. Retrieved August 26, 2008, from

<http://bicusa.org//.Structure.1.aspx>

The management of the African Development Bank is separated into three tiers, the Board of Governors, the office of the President and the Board of Executive Directors. While the Board of Governors has the authority to make final decisions on all aspects of the AfDB's operation, they rarely meet and, therefore, do not manage the day-to-day operations of the AfDB. The responsibility of everyday management falls to the President and the Executive Directors of the AfDB.

Bank Information Center. (n.d.). Quick facts on the African Development Bank. Retrieved August 22, 2008, from

Bank Information Center Web site: <http://bicusa.org//.Resources.1.aspx>

The African Development Bank is a public bank supplying loans, grants, and technical assistance to low income African countries. It is composed of the African Development Bank, the Nigeria Trust Fund and the African Development Fund and employs more than a thousand people. These quick facts are all part of this particular citation which is a list of quick facts about the AfDB intended as an informative primer for NGO's interested in or involved with the AfDB.

Bank Information Center. (2008, August). Transparency at the AfDB. Retrieved August 22, 2008, from

<http://bicusa.org//.26.aspx>

In 2003 the AfDB began taking steps to increase transparency and improve accountability in the organization. While this is still an ongoing process the move has already begun to produce results in the form of new policies for disclosure of information and accountability to people affected by AfDB programs (the Citizen Complain Mechanism and Independent Review Mechanism). Transparency and accountability are both major issues for the modern AfDB and this citation briefly outlines some of the major changes the AfDB has made.

Copson, Raymond W. (May, 2000). African Development Bank and Fund. Retrieved September 9, 2008, from

<http://digital.library.unt.edu/go/docs/crs/permalink/meta-crs-1260:1>

The African Development Fund was originally conceived as a method by which non-regional countries could contribute financially to the African Development Bank, which at the time defined itself as a completely African institution that could only remain completely African by maintaining only African membership. The ADF has since grown and expanded into the modern concessional lending facility that it

is today. During this process the ADF was the avenue by which non-African countries eventually gained the right to membership in the AfDB.

English, E. P., & Mule, H. M. (1996). *The multilateral development banks - Volume 1*. Boulder, Colorado: Lynne Rienner Publishers.

The African Development Bank was founded in 1964 with the intention of creating a supranational banking institution in Africa that would have a particularly African character and could cater specifically to the special needs of developing countries in Africa. Although it faced many initial difficulties including lack of financing, political volatility, and lack of experienced management staff, the AfDB has persisted and is now one of the larger lending institutions in Africa.

Fitch Ratings. (2006, October). *Supranationals - African Development Bank*. Retrieved September 15, 2008, from http://www.afdb.org/pls/portal/docs/PAGE/ADB_ADMIN_PG/DOCUMENTS/FINANCIALINFORMATION/2006%20CREDIT%20REPORT%20FROM%20FITCH.PDF

Fitch Ratings conducts international credit analyses. Fitch Ratings assigned the AfDB a AAA rating based on an analysis of its balance sheet, liquidity, market risk, risk management controls, and the financial quality of its Member States. Fitch Ratings considers the AfDB a stable bank and has given it the highest ratings in both the international long- and short-term areas.

Weiss, Martin A. (January 2008). *The African Development Bank Group*. Retrieved September 15, 2008, from http://assets.opencrs.com/rpts/RS22690_20080129.pdf

The African Development Bank was founded in 1964 with the intention of creating a supranational banking institution in Africa that would have a particularly African character and could cater specifically to the special needs of developing countries in Africa. The AfDB is composed of three parts (NTF, ADF and AfDB) and now represents approximately 6% of the total lending and foreign aid in Africa. This citation is a report prepared for the United States Congress and updated on a regular basis (last update in January, 2008).

I. Analyzing the Impact of Intra-Regional Migration on Development

African Development Bank. (2002, June). *Achieving the Millennium Development Goals in Africa. Progress, Prospects, and Policy Implications* (Global Poverty Report). Retrieved from African Development Bank in collaboration with the World Bank Web site:

http://www.revistainterforum.com/english/articles/0630022pol_us.html

The report approaches the issue of the achievement of the Millennium Development Goals in Africa. It names each goal and the already accomplished steps that differ widely across the African continent. The piece also gives information on strategies aiding the progress of advancing development in Africa. As a conclusion the work gives suggestions for still needed assistance to meet the goals one day.

African Development Bank Economic and Social Statistics Division. *Gender, Poverty and Environmental Indicators on African Countries 2008* (Vol. No. IX). (ISSN No. 1563-437X) Retrieved on July, 15, 2008 from African Development Bank Economic and Social Statistics Division Web site:

http://www.afdb.org/portal/page?_pageid=473,18884240&_dad=portal&_schema=PORTAL

The Volume provided by the AfDB Statistics Division offers information about development trends focusing on gender, poverty and environmental aspects in Africa. It broaches the issue of the Millennium Development Goals and the aspect of their approach in African countries. It also provides the reader with specific tables for each African country giving data on the status of development in each country.

African Development Bank Statistics Department. (2008). *Selected Statistics on African Countries 2008*. (ISSN No. 1561-2805) Retrieved from African Development Bank. Statistics Department Web site:

http://www.afdb.org/pls/portal/docs/PAGE/ADB_ADMIN_PG/DOCUMENTS/STATISTICS/SELECTED%202008_WEB.PDF

The Volume offered by the Statistics Department of the AfDB provides a overview of selected statistics on African countries. It presents data on development issues and indicators for African economies. It is an

excellent source to find development related data on specific countries and regions to underline further research.

Adepoju, A. *Fostering free movement of persons in West Africa: achievements, pitfalls, and prospects for intra-regional migration*. Abstract obtained from P.26. *International Migration-Micro*.

Adepoju has dealt especially with the topic of migration and then in particular with intra-regional migration. The article approaches the topic of migration in West Africa. It opens with giving an overview of the history of migration and the importance it has in African culture. Further on Adepoju tackles new trends that have developed the past years in African migration but focuses especially on strategies fostering free-movement in West Africa.

Adepoju, A. (2004, September). *Changing Configurations of Migration in Africa*. Retrieved July 15, 2008, from Migration Information Source Web site: <http://www.migrationinformation.org/Feature/display.cfm?id=251>
Another article by Adepoju dealing with the problem of migration in Africa. This one especially focuses on new trends in migration. Migration patterns have constantly been changing in African culture and this article concentrates on the most recent and interesting ones. It also offers a first introduction on the most important issues of migration in Africa.

Adepoju, A. (2005, September). *Migration in West Africa*. Retrieved from Global Commission on International Migration (GCIM) Retrieved July 15, 2008, from: <http://www.gcim.org/attachements/RS8.pdf>
This piece offers an extensive overview of migration in West-Africa. It provides the reader with information about key trends of migration in this region, regional strategies and initiatives, experiences from past programmes and challenges for the future, especially focusing on ECOWAS and the idea of a border less West Africa.

AIDS and Rights Alliance for Southern Africa. (2008, July 18). *The mining sector, tuberculosis and migrant labour in southern Africa*. Retrieved from AIDS and Rights Alliance for Southern Africa Web site: <http://www.africafiles.org/article.asp?ID=18508>
The article draws the attention to the link between diseases such as Tuberculosis and HIV/AIDS and migrant workers in the mining sector in Southern Africa. The special focus lies on Lesotho and South Africa, which are closely interlinked through migrant movements. The cases of TB are extremely high among migrant workers and their families which is also a result of the high HIV/AIDS prevalence rate among the migrants.

AU Experts Meeting on Migration and Development. (2006, April). *Elements for an African Common Position on Migration and Development*. Retrieved July 24, 2008, from African Union Web site: http://www.africa-union.org/root/AU/Conferences/Past/2006/April/SA/apr5/Elements_for_an_African_Common_Position.pdf
The AU Experts Meeting on Migration and Development was formed to deal with migration in the context of African development. This paper is an approach to deal with the impact of migration on development in a common strategy for all member countries of the AU. The paper addresses the most pressing issues related to migration and offers a strategy to handle them in a joint approach.

Executive Council AU, Ninth Session. (2006, June). *The Migration Policy Framework for Africa [(EX.CL/276)]*. Retrieved July 19, 2008, from http://www.fasngo.org/assets/files/resources/EXCL276_IX_Strategic_Framework_for_Policy_Migration.pdf
Resolution of the Executive Council of the African Union dealing with the problem of migration in Africa. The paper addresses all aspects of migration relevant for African states. The main goal of this session was to find a common policy for every member of the AU to handle migration in order to support development.

Fischer Weltalmanach. *Fischer Weltalmanach 2008. Zahlen, Daten, Fakten*. (2007). Frankfurt am Main.
The Fischer Weltalmanach is an annual book offering the reader articles to relevant topics the previous year. It has sections for every country with the most important facts and figures as well as a short overview of the most important issues the country had to deal with in 2007. It provides an excellent starting point for research about certain countries and also deals with global issues in the second section of the book.

Forced Migration Online. *What is forced migration?* Retrieved September 12, 2008, from Forced Migration Online (FMO) Web site: <http://www.forcedmigration.org/whatisfm.htm>

The website offers an approach to the topic of forced migration. It gives a definition of forced migration and names the different types of forced migration: conflict-induced, development-induced and disaster induced displacement. It also provides a short explanation to the different types of forced migrants including refugees, asylum-seekers, IDPs, development displacees, environmental and disaster displacees, smuggled people, and trafficked people.

Global Donor Platform for Rural Development. (2007, October). *Mind the Gap: How to Improve Rural-Urban Linkages to Reduce Poverty. Platform Policy Brief No.1* . Retrieved September 15, 2008 from Global Donor Platform for Rural Development Web site: <http://www.donorplatform.org/content/view/187/135/>
The Policy Brief focuses on the link between rural-urban development. It states that development assistance should not only be concentrated on urban areas, but that the connection of rural and urban areas needs to be taken into consideration. For this purpose the paper offers statistics on rural- urban development and strategies to integrate rural areas into development strategies.

Heidelberg Institute for International Conflict Research. *Conflict Barometer 2007. 16th Annual Conflict Analysis.* (2007, December 1). Retrieved from Heidelberg Institute for International Conflict Research Web site: http://www.hiik.de/de/konfliktbarometer/pdf/ConflictBarometer_2007.pdf

The Heidelberg Institute for International Conflict Research is a non-profit centre that researches, evaluates and documents intra- and interstate political conflicts. The Conflict Barometer is an annual report on the status of conflicts world-wide and within specific countries. It offers a global analysis of every conflict as well as reports on each conflict and its specifications in every country and region.

High Level Panel for the AfDB. *Investing in Africa's Future. The ADB in the 21st Century.* (2007). Retrieved on July 18, 2008 from High Level Panel for the African Development Bank Web site: http://www.afdb.org/pls/portal/docs/page/adb_admin_pg/documents/news/cover%20page.pdf
The report of the High Level Panel offers an overview of the work and the objectives the AfDB should be approaching in the 21st century. The panel was looking to define the role of the AfDB, how far it has come and where it should go in the new century. It addresses achieved projects and provides a set of numbers about the work of the AfDB.

Hofmeier, & Mehler. (2004). *Kleines Afrika-Lexikon.* München.

The dictionary concentrates only on topics related to Africa. It introduces issues related to African politics, history, and economics and thus is a very good research tool for every student interested in a first approach to Africa. There is a section to every relevant topic that gives a precise overview of both the topic and its implications.

IDP Action. *IDPs in Africa: a case for concerted action.* Retrieved September 16, 2008, from IDP Action Web site: <http://www.idpaction.org/idpa.php>

IDP Action provides information about IDPs in Africa. The problem of dealing with IDPs in Africa and especially with long-term IDPs is handled on this web site by providing basic information on numbers, a legal approach and common papers on the issue. It is calling for action and offering strategies assisting IDPs and their States.

International Organization for Migration (IOM). *Migration Initiatives Appeal 2008.* (2008, February). Retrieved July 29, 2008 from IOM Web site: <http://www.iom.int/jahia/Jahia/cache/offonce/pid/1674?entryId=16747>
The work outlines the strategies and initiatives suggested by the International Organization for Migration dealing with the challenges and problems of migration in Africa. The focus of the initiatives is the link between migration and development and migration and the environment. It is divided in regions and includes funding requirements for different regions.

International Organization of Migration (IOM). (n.d.). *Migration Typologies.* Retrieved August 17, 2008, from <http://www.iom.int/jahia/Jahia/pid/522>

The Web site of the International Organization offers a wide variety of information about migration and any related issue. This side explains the different migration typologies and definitions of migration and

related terms. It offers a first approach to the term migration and migrant and a theoretical idea of its scope.

Keane, D. (2004, Winter). *The Environmental Causes and Consequences of Migration: A Search for the Meaning of "Environmental Refugees."* Retrieved August 18, 2008, from Georgetown International Environmental Law Review Web site: http://findarticles.com/p/articles/mi_qa3970/is_200401/ai_n9353848

This article is looking for causes of migration such as environmental problems, economic accidents or war. It seeks to understand whether highlighting environmental damage and degradation as a single cause of migration, or as a single consequence of migration, has any benefit. The term "environmental refugee" will be examined from a legal perspective and from an environmental perspective.

Koser, K. (2007). *International Migration. A Very Short Introduction.* New York: Oxford University Press.

Koser offers in this book an introduction to the issue of international migration. He examines migration's fundamental links with globalization, development, poverty, and human rights. Presenting the human side of topics such as asylum, human trafficking, and cultural integration, Koser approaches the most important and most pressing issues related to migration.

Lindley, A., Dr. (2008, May). *Conflict-induced migration and remittances: exploring conceptual frameworks.* Retrieved September, 15, 2008 from Refugee Studies Centre Web-site:

<http://www.rsc.ox.ac.uk/PDFs/RSCworkingpaper47.pdf>

This paper first explores relevant conceptual models from the literature on labour migration, and outlines some of their limitations. Second, it focuses on aspects of conflict-induced migration – specifically, the causation of migration, the situation of family left behind and the post-migration situation of refugees – that may have implications for the remittance behaviour of those affected.

Meeting the challenges of unemployment and poverty in Africa. (2004). Retrieved on July 18, 2008 from World Development Indicators 2004 Web site: <http://www.uneca.org/era2005/overview.pdf>

This is an article focusing on challenges and aspects of unemployment and poverty in Africa. Both topics are related to migration and especially to development in Africa. It offers a profound overview of related and most pressing issues concerning the topics of unemployment and poverty and therefore the challenges that have to be approached to help development.

Nolen, S. (2008). *28 Stories of AIDS in Africa.* Toronto: Vintage Canada.

Nolen uses this book to focus on the pandemic of HIV/AIDS in Africa. She uses 28 stories of persons that are influenced in different ways by HIV/AIDS to draw the attention to the immense impact the disease has on every aspect of human life in Africa. Through these stories it becomes obvious how HIV/AIDS poses a threat to development in Africa threatening economies and stability everywhere.

Ping, J. (2008, May 12). *Opening Remarks.* Address presented at Workshop on Inter-State and Intra-Regional Cooperation on Migration Management in the Inter-Governmental Authority on Development (IGAD), Addis Ababa.

Opening Remarks by Jean Ping, AU Commission Chairperson introducing the issue of migration to the assembled. The speech offers an overview of the most urgent aspects of migration and the topics that need to be dealt with during the conference.

Rotte, R., & Vogler, M. (1999, June). *The Effects of Development on Migration: Theoretical Issues and New Empirical Evidence* (IZA DP No. 46). Retrieved August 15, 2008, from Institute for the Study of Labor Web site: <http://repec.iza.org/RePEc/Discussionpaper/dp46.pdf>

This paper deals with the complex relationship of development and migration. Since the beginning of the 1990s several arguments have been discussed which hint at the possibility that progress in development of less developed regions might lead to more migration, even if income differentials to the potential destination regions decrease. This paper presents these arguments and tests them. The results confirm the importance of dissolving financial restrictions on migration, migration networks, and changes in the societal structure of the sending countries.

UN Department of Public Information. *Africa and the Millennium Development Goals. Update 2007*. Retrieved July 20, 2008 from United Nations Web site: <http://www.un.org/millenniumgoals/docs/MDGafrica07.pdf>
The report gives an update over the status of achieving the MDGs in Africa. It offers numbers and sections for each of the eight goals and its development in every African country. It concentrates on the specific relationship of development and Africa and tries to highlight the shortcomings of achieving the MDGs as well as the work that has been done already and the steps that have been taken.

United Nations High Commissioner for Refugees. (2005, March). *The Treatment of Forced Displacement and Statelessness in the Revised UNECE Census Recommendations*. Retrieved September 10, 2008 from UNECE/Eurostat Seminar on Migration Statistics Web site: <http://www.unhcr.org/stats/documents/2005/03/migration/wp.15.e.pdf>
The report of the High Commissioner for Refugees addresses the issue of refugees, Internally Displaced Persons (IDPs) and stateless persons. All these groups of persons present a challenge dealing with forced migration. The paper also gives an example on how to approach the issue of refugees, displaced persons, other forms of involuntary displacement and returnees to indicate the complexity of forced migration.

United Nations. *The Millennium Development Goals Report 2007*. Retrieved August 3, 2008 from United Nations Web site: <http://www.un.org/millenniumgoals/pdf/mdg2007.pdf>
The Millennium Development Goals Report offers a profound overview of the eight Millennium Development Goals and the progress that has been achieved to reach these goals until the set time of 2015. The report states each specific goal and gives statistics as well as explanations to each goal and related topics.

Additional Sources

Chimni, B. (2000, February). *Globalisation, Humanitarianism and the Erosion of Refugee Protection*. Retrieved September 13, 2008, from Refugees Studies Centre Web site: <http://www.rsc.ox.ac.uk/PDFs/workingpaper3.pdf>
The universal and protective label 'refugee' has, as a result, fragmented and translated into the curtailment of rights. Those who now seek refuge find that they represent security threats to states and regions and that all roads lead quickly home. In the first part the paper attempts to analyse the relationship between globalisation and humanitarianism. In the second part it focuses on the implications of new humanitarianism for the principles of refugee protection. The final part offers some broad recommendations.

International Organization for Migration. *Migration Dialogue for Southern Africa (MIDSA)*. Retrieved July 28, 2008 from IOM Web site: <http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/activities/tcm/midsa.pdf>
Established 2000 the project aims at creating a regional forum concentrating on migration within Southern Africa. The paper supplies the reader with information on migration in this region and names strategies to tackle the effects of migration in the region. It also focuses on the role of the International Organization on Migration (IOM) and the Southern Africa Development Community (SADC).

Milner, J. (2000, May). *Sharing the Security Burden: Towards the Convergence of Refugee Protection and State Security*. Retrieved August 31, 2008, from Refugee Studies Centre Web site: <http://www.rsc.ox.ac.uk/PDFs/workingpaper4.pdf>
The case of Tanzania illustrates that refugee protection cannot effectively take place in conditions of acute and protracted state insecurity. It is imperative for the international community to respond effectively to the security implications associated with forced migration to ensure the protection of refugees. To accomplish this goal, this paper proposes an approach premised both on the logic of burden sharing and on a more rigorous and comprehensive understanding of the relationship between refugees and security.

The New Partnership for Africa's Development (NEPAD). (2001, October). Retrieved July 16, 2008 from NEPAD Web site: <http://www.nepad.org/2005/files/documents/inbrief.pdf>

The NEPAD framework document is the strategy for the new partnership of African countries. It states the goals and objectives of the program and the obstacles that should be overcome for a developed Africa. NEPAD was created to find an African way of fostering development and work more closely together on issues unique to African countries.

Purdeková, A. (2008, January). *Repatriation and Reconciliation in Divided Societies: The Case of Rwanda's 'Ingando'*. Retrieved September, 15, 2008 from Refugee Studies Centre Web site:

<http://www.rsc.ox.ac.uk/PDFs/RSCworkingpaper43.pdf>

The present study investigates de-ethnicization, the way in which it manifests itself through ingando (camps set up for political education of various groups), and finally, the way in which its effectiveness as a reconciliatory tool within the broader framework of transitional justice. The post-genocide returns to Rwanda brought together a population divided in new and complex ways. This study builds on the premise that in such a context, repatriation and reconciliation cannot be treated as separate.

United Nations General Assembly. 55th Session. (A/res/55/L.2). *United Nations Millennium Declaration*. Retrieved August 4, 2008, from <http://www.un.org/millennium/declaration/ares552e.pdf>

During the Millennium Summit the General Assembly adopted the Millennium Declaration setting eight key objectives for the attention of the world community. This important resolution offers the ground work for the Millennium Development Goals. Every student dealing with an issue related to development should have an idea of this outstanding declaration focusing on development.

Vignesvaran, D. (2007, July). *Free Movement and the Movement's Forgotten Freedoms: South African Representation of Undocumented Migrants*. Retrieved August 30, 2008, from Refugee Studies Centre Web site: <http://www.rsc.ox.ac.uk/PDFs/RSCworkingpaper41.pdf>

This paper studies the South African media's representation of undocumented migrants from 1998 to 2005. It examines the relationship between the media's legitimization of state immigration control and South Africa's unique historical tradition of struggle. The paper suggests that anti-Apartheid sentiments constitute a vital, albeit hidden, discursive resource for critics of contemporary immigration controls.

II. Promoting Regional Trade and Integration

African Development Bank, & African Development Fund. (2000). *The African Development Bank and Member Countries: Partners in Progress*. Abidjan, Cote d'Ivoire: African Development Bank Group.

Partners in Progress aims at familiarizing the reader with what the AfDB strives to achieve. As the AfDB mission states, the Group is Africa's premier financial institution, and as such attempts to improve Africa's infrastructure, agricultural and rural development, and social development. Partners in Progress gives the reader many great case studies, statistics, and aspirations.

African Development Bank Group. (2002). *US - S119 - S204 (2002 Annual Report)*. Retrieved September 30, 2008, from The African Development Bank Group Web site:

http://www.afdb.org/pls/portal/docs/PAGE/ADB_ADMIN_PG/DOCUMENTS/FINANCIALINFORMATION/US%20-%20S119%20-%20S204.PDF

Part III of the 2002 Annual Report of the African Development Bank illustrates the financial contribution made and accounting methods used in the fiscal year. In note E of the notes to the financial statements for the years end section, the Arab Oil Fund contribution of Algeria is explained. Very much like the Nigerian Trust Fund, the Oil Fund is used to help promote economic growth and regional integration by providing financing to low-income Sub Saharan African countries negatively affected by high oil prices. Since the establishment of the Fund in 1974, all of its resources have been fully disbursed.

African Development Bank Group. (2007, May 7). *Cape Verde: Santiago Island Watershed Management and Rehabilitation Project*. Retrieved July 19, 2008, from

http://www.afdb.org/portal/page?_pageid=293,962607&_dad=portal&_schema=PORTAL&thing_id=18412243

The Cape Verde case study is a great introduction to the way micro-credit can be successfully used to help promote trade and increase incomes. By providing a brief overview of how successfully administered funds

can help a community be successful in their agricultural endeavor, the reader can gain a better understanding of the successes of microfinance. While a case study will give the reader some key terminology and basic understanding of the micro-financing system, it should not be used as a primary or even secondary source. It demonstrates with a simple example of what micro-credit can do for a community if administered properly.

African Development Bank Group. (2008). *African Development Fund*. Retrieved October 1, 2008, from The African Development Bank Group Web site:
http://www.afdb.org/portal/page?_pageid=473,968638&_dad=portal&_schema=PORTAL
The African Development Fund (ADF) was created in 1972 to provide interest free loans to impoverished regional member countries of the AfDB. Today it provides concessional loans as well as grants for programs and technical assistance for development studies. The Fund receives its funding from participants and non-regional members of the AfDB.

African Development Bank Group. (2008). *Countries*. Retrieved August 4, 2008, from
http://www.afdb.org/portal/page?_pageid=473,968997&_dad=portal&_schema=PORTAL
This Web Site is an excellent source for those considering AfDB's regional and non-regional members. In addition to providing all of the regional members and non-regional members of the group, minor statistics and information about the Regional member countries are provided. A plethora of information concerning the Non-Regional members and their specific role within the organization is also broken-down so that the reader can gain a better understanding of the group as a whole. While this site should not be used a primary source of information when doing research, it is a good source for familiarizing yourself with AfDB's membership.

African Development Bank. (2008). *The Nigerian Trust Fund*. Retrieved October 1, 2008, from The African Development Bank Group Web site:
http://www.afdb.org/portal/page?_pageid=473,968643&_dad=portal&_schema=PORTAL
The Nigerian Trust Fund is a special fund of the AfDB, whose main objective is to assist in the development efforts of low-income Regional Member Countries. The Fund provides much needed financing for these impoverished countries who cannot afford to finance their own capacity-building activities and programs. The Trust was established by a generous donation from the Nigerian government and has recently been replenished by additional generosity of the Nigerians and non-regional members alike. This webpage is a good informational source for delegates starting their research on the AfDB and looking to understand the affiliated organizations within the Group.

All Africa. (2008, August 20). *Liberia: Money Laundering Threatens Financial Systems, GIABA Boss Discloses*. Retrieved September 11, 2008, from allAfrica.com Web site:
<http://allafrica.com/stories/200808200851.html>
This article illustrated some of the obstacles that the African financial system faces. Money laundering, terrorist financing and ineffective state run systems are all severe problems that African finance reformers face and they are all not easily solved. Without successful reforms being implemented in Liberia, the financial system in place will not be able to create economic growth and prosperity. This article does a good job explaining that in addition to ineffective state run systems, money laundering and terrorist financing are also real threats to the stability of the financial system in West Africa.

Baldeh, Y., Murara, J., Mivedor, S., Balayah, M., Ayiembra, M., & Sambe, B. (2006, August). *Social Fund for Development: Micro and Small Enterprises Support Project*. Retrieved July 22, 2008, from African Development Bank: Human Development Department Web site:
http://www.afdb.org/pls/portal/docs/PAGE/ADB_ADMIN_PG/DOCUMENTS/OPERATIONSINFORMATION/EGYPT_AR_SFD_MSES_PROJECT.PDF
Understanding the current state of the financing system in Africa is a complex and daunting task. While focusing primarily on one project, Social Fund for Development: Micro and Small Enterprises Support Project, which takes place in the Arab Republic of Egypt, the paper attempts to highlight the importance of microloans. The proposed project aims to foster job creation and enhance community economic development, both of which are important for African economic integration and regional trade.

- Bannon, I., & Collier, P. (2003). *Natural Resources and Violent Conflict: Options and Actions*. Washington, D.C.: The World Bank. Retrieved from The World Bank Web site: <http://go.worldbank.org/NFL6KKBXA0>
The World Bank's report focuses on the causal affect of natural resources on internal conflict for states. It is an exhaustive analysis of the role of natural resources on a state and international and state-level solutions to the problem. Delegates should use this report as a guide to some of the problems associated with resource-rich states and an approach to dealing with the issue. It is also full of valuable sources and data relating to the topic.
- Bossard, L. (2007). Local Development & the Process of Regional Integration. In *Sahel and West Africa Club*. Retrieved August 4, 2008, from OECD Web site: http://www.oecd.org/document/42/0,3343,en_38233741_38246954_38396714_1_1_1_1,00.html
This source provides a brief description of the history of regional development and integration in West Africa. It helps the reader to understand that this region, in a phase of demo-economic evolution, calls for greater attention to be given to the regional integration process. This site also introduces the importance of labor force migration throughout African development.
- Central Intelligence Agency. (2008). *CIA - The World Factbook - Cape Verde*. Retrieved September 30, 2008, from <https://www.cia.gov/library/publications/the-world-factbook/geos/cv.html>
Following Cape Verde's independence in 1975, it has maintained one of Sub Saharan Africa's most stable democratic governments. Cape Verde has also experienced repeated droughts that have prompted heavy emigration and financial hardship as well as a lack of food for its population. This is one of the main reasons it was selected for the micro-credit watershed project sponsored by the AfDB.
- Central Intelligence Agency. (2008). *CIA - The World Factbook - Nigeria*. Retrieved September 30, 2008, from <https://www.cia.gov/library/publications/the-world-factbook/geos/ni.html>
Nigeria is a natural resource rich country who has not experienced much luck with a stable democracy; however, it is currently experiencing its longest period of civilian rule since its independence in 1960. Nigeria has had much of their oil revenues squandered away through corruption and mismanagement, yet has still been very generously in donating funds to be used to establish the Nigerian Trust Fund to provide financing for development projects in low-income regional member countries in the AfDB.
- World Trade Organization. (1979, November 28). *Differential and more favorable treatment reciprocity and fuller participation of developing countries*. Retrieved August 4, 2008, from World Trade Organization Web site: http://www.wto.org/english/docs_e/legal_e/enabling1979_e.htm
The legal texts of the most favored nation clause and preferential treatment agreements concerning developing countries are provided. The decision by signatories to the General Agreement on Tariffs and Trade in 1979 allows derogations to the most-favored nation treatment in favor of developing countries. The legal texts of the WTO should not be used for primary research, as they offer only a clear and concise outline of what is allowed in the WTO in regards to RTAs.
- East African Community. (2008, May 21). *East African Community Customs Union - The Treaty For The Establishment of the East African Community*. In *East African Customs Union*. Retrieved August 5, 2008, from East African Community Web site: <http://www.eac.int/index.php/eacu/34-body-text-area/58-eaccu.pdf>
This brief on The East African Community Customs Union provides the framework for the creation of the customs union, as well as The objectives of the Community and how the EAC plans to achieve them. The current EAC regional integration initiate is loosely based on the 1977 agreement that established a weaker EAC Customs Union. The objective of this current initiative is to develop policies and programs that generate greater co-operation among partner states.
- Frankel, J. A., Stein, E., & Wei, S.-J. (1997). *Regional Trading Blocs in the World Economic System*. Washington D.C.: Peterson Institute.
Regional trading blocs the world over have been documented and this book is a great resource to use when researching the creation and implementation of regional trading blocs. When establishing a regional trading bloc several factors must be taken into account including: policy concerns, and their impact on both included and excluded countries, and on the global trading system, in addition to if these agreements

will lead to trade creation of trade diversion. This book aims at illustrating those factors and how to determine if a RTA would be a positive or a negative for the member countries.

Ghali, B. B. (n.d.) Section One. In *Philosophical Quotes*. Retrieved September 9, 2008, from The Sungate Alliance Web site: <http://www.thesungatealliance.org/.html>

This Web site offers a wide selection of philosophical quotes from a variety of sources. This site is a good resource if looking for a quote but not an acceptable resource for gathering information pertaining to AfDB research.

Honohan, P., & Beck, T. (2007). *Making Finance Work for Africa* (HG187.5.A2H66 2007). Retrieved July 25, 2008, from The World Bank Web site:

http://siteresources.worldbank.org/AFRICAEXT/Resources/Africa_Finance_report.pdf

Making Finance Work for Africa is a wonderful resource to better understand African finance conditions, as well as addressing African finance priorities. Access to finance is vital for unlocking growth within Africa, but productive means of channeling assets are also needed for increased financing to have a positive effect. Making financial systems in Africa more productive has been a goal amongst many policy makers the continent over, and this report highlights what has already and what is currently being done to help financial systems deliver rapid growth across all income levels. This report while quite lengthy has a very concise table of contents that makes finding a particular topic very easy. This publication takes a panoramic view of Africa's financial systems, both at the large scale and the small scale; and presents a coherent policy approach that addresses African finance needs.

Kabbaj, O. (2004, May 25). *The 40th Anniversary of the Bank's Establishment*. Address presented at The Annual Meetings of the African Development Bank Group, Kampala, Uganda.

The African Development Bank Group's President Omar Kabbaj address to the AfDB annual meeting touched on many key issues relating to the Bank's previous 40 years. These included the Bank's evolution over the last 40 years, the growing operations in regional member countries, and governance reforms and strengthening management. These issues are all very important to the AfDBs continued expansion and promotion of its founding ideals throughout Africa.

Lamy, P. (2004, February 26). Moving the Doha Development Agenda Forward. In *European American Business Council*. Retrieved August 5, 2008, from Revista Inter-Forum Web site:

http://www.revistainterforum.com/english/articles/012204eco_doha-forward.html

The Doha Round of trade negotiations is essential for the success and stability of the world trading system. In today's ever growing world issues like agriculture that are holding up the trade negotiations needed to be addressed and a deal struck for the success of the Doha Round. Agriculture is of crucial importance in these negotiations to not only the producing nations, but to the receiving nations as well. This report gives a short introduction to issues related to the Doha Round of trade negotiations.

Landes, David S. (1999). *The Wealth and Poverty of Nations: Why Some Are So Rich and Some So Poor*. New York: W.W. Norton.

Beginning with Great Britain's industrial revolution to modern development history, this book is detailed analysis of how development interacts within the context of a state and its time. One of the central themes that delegates should take away from this book is the importance of state and time-specific details and developmental strategies. In other words, what works in Country A at Time X is important to understand, but will not necessarily be applicable to Country B at Time Y. While this book does not deal solely and specifically with African Development, it is nonetheless an extremely valuable resource in understanding how development works

Low, P., Mchumo, Z., & Muyambo, V. (2006, November). *Africa in the World Trading System: Prospects and Challenges*. Retrieved July 23, 2008, from African Development Bank Web site:

http://www.afdb.org/portal/page?cx=012682258833702075606%3Ackx0wqv0pri&cof=FORID%3A11%3BNB%3A1&_pageid=293%2C30717243&_dad=portal&_schema=PORTAL&q=Africa+in+the+World+Trading+System%3A+Prospects+and+Challenges&sa.x=12&sa.y=11&sa=Search#1139

This paper was prepared for the conference on Accelerating Africa's Development – Five Years into the 21st Century, by high-ranking members of the WTO Secretariat. Africa's position in the world trading

system is not ideal though and specifically the relationship of opportunity and challenge that has resulted in mixed socioeconomical outcomes for decades throughout Africa. These mixed results are due to the lack of exports, infrastructure, and production capabilities in Africa, and this leads to the assumption that trade is vital for the continents' long-term sustainable development. This report is an excellent resource for gaining understanding of both the prospects and challenges that face most Sub-Saharan countries today, and should really help the reader foster a better understanding of the current world trading system.

- Ncube, M. (2007). *Financial Services and Economic Development in Africa* (JOURNAL OF AFRICAN ECONOMIES, VOLUME 16, No. PP. 13–57). (AERC SUPPLEMENT No. 1) Retrieved September 11, 2008. doi:10.1093//
Most sub-Saharan African (SSA) countries have been recording considerable growth since the beginning of this century compared to the dismal and unstable growth experience of the 1980s and 1990s. The relationship between financial, infrastructural and social services and economic development in Africa is complex but needs to be understood to make policy decisions concerning economic reform. This research report explains how financial intermediaries allocate goods across space and time, and how these intermediaries facilitate the acquisition of information about firms, households, and individuals, and how this information is pertinent to the ability to obtaining financing and credit. If you are not familiar with how the financial system works and how banks make their profits, this is a great medium length article to read.
- Njinkeu, D., & Fosso, B. P. (2006, November 11). *Intra-African Trade and Regional Integration*. Retrieved July 23, 2008, from African Development Bank Group Web site:
http://www.afdb.org/portal/page?cx=012682258833702075606%3Ackx0wqv0pri&cof=FORID%3A11%3BNB%3A1&_pageid=293%2C30717243&_dad=portal&_schema=PORTAL&q=Intra-African+Trade+and+Regional+Integration&sa.x=0&sa.y=0&sa=Search#1120
This paper is a wonderful source when looking to gain an understanding of the positives associated with regional trade agreements (RTA) and why integration in Africa is important. This pro- RTA paper is excellent at describing the positive effects of RTA and why regional integration is a positive for Africa; both of which are very important in understanding why AfDB would want to promote regional trade and integration in Africa. Historically, Africa's regional trade lingers around 10 per cent of both African imports and exports, this is significantly less than many other developing regions. This means that promoting intra-regional trade represents a promising opportunity for trade expansion in Africa over time. And this paper will provide an analysis of intra-regional trade and regional integration, with particular emphasis on promoting trade and development.
- OPEC Fund for International Development. (n.d.). *OFID Sister Organizations*. Retrieved October 1, 2008, from The OPEC Fund for International Development Web site: <http://www.opecfund.org/about/trust.aspx>
The OFID is committed to international development as is evident by several OPEC members donating hundreds of millions of dollars to regional development banks. This is done in addition to the economic developmental work done in specific statess. Trust Funds have been established by Algeria, Nigeria, and Venezuela to promote economic development and regional integration.
- Organisation for Economic Co-Operation and Development. (2007). *Investment Strategies and Financial Tools for Local Development* (G. Clark & D. Mountford, Eds.). Paris, France: OECD.
This book is a great primary source for researching the improvement of local and regional investments and development. This book explains that these improvements are not just easily made through an increase in finance, but how the finance is managed and the investment plan implemented. While it is true that access to finance is vital for sustainable growth throughout Africa, the productive means of channeling assets are also needed for increased financing to have a positive effect. Making financial systems in Africa more productive has been a goal amongst many policy makers the continent over, and this report highlights what has already and what is currently being done to help financial systems deliver rapid growth across all income levels. This is a great source for gaining a respectable understanding about local and regional development in developing regions of the world.
- Rodrik, D. (1998, May). *Trade Policy and Economic Performance in Sub-Saharan Africa*. (NBER Working Paper No. 6562) Retrieved from National Bureau of Economic Research Web site: <http://www.nber.org/>

This article is a wonderful resource for all things trade related in Sub-Saharan Africa, and should be a primary source in researching this topic. The role of trade and trade policy in achieving sustainable long-term growth needs to be understood if policy decisions are going to be successful. Trade policy in SSA works much the same way as it does throughout the world, yet high levels of trade restrictions have been a much larger obstacle in SSA than in other areas. This paper illustrates how the role of trade and trade policy can be used to achieve sustainable long-term economic growth, and it explains how African problems such as high transportation costs, poor infrastructure, and an inadequate financial system are all obstacles that can be overcome successfully.

Sachs, J.D. (2005). *The End of Poverty: Economic Possibilities for our Time*. New York: Penguin Press.

While this book argues a specific developmental approach, there is an enormous amount of data, historical analysis, and critical examinations of developmental strategies. Sachs is critical of some aspects of traditional development theory and strategy. Nonetheless, this critical examination allows delegates to approach African development from multiple angles.

Tandon, Y. (2008, May 29). Africa: The Committed Intellectual - Reviving And Restoring the National Project. In *All Africa*. Retrieved September 12, 2008, from allAfrica.com Web site:

<http://allafrica.com/stories/200805300034.html>

This article takes a fairly extreme view, but does a good job describing how local individuals should be charged with implementing the philosophical views of an area, developing its political system as well as providing fellow residents with academic insight. The National Project began before countries in the South achieved their independence from colonial rule, continued for several years after political independence, but ceases to exist in the era of globalization. TNP charges geographical areas with determining their political systems and using their shared vision as a backbone for a stable democracy. This article established the idea that there is an 'organic institution' to be created, and a society with the same shared vision can implement this institution with organic intellectuals.

The High Level Panel for the African Development Bank. (2007). *Investing in Africa's Future: the ADB in the 21st Century*. Retrieved August 4, 2008, from The High Level Panel for the African Development Bank Web site:

http://www.afdb.org/pls/portal/docs/PAGE/ADB_ADMIN_PG/DOCUMENTS/NEWS/HLP%20REPORT-INVESTING%20IN%20AFRICA%E2%80%99S%20FUTURE.PDF

The continent of Africa has a young and growing population which when coupled with high productivity leads to a global economic success and stability. Africa has vast natural resource wealth and the entire continent has enormous potential to succeed, yet persistent poverty, ongoing conflict, corruption and poor health have plagued Africa for too long. The High Level panel for the African Development Bank offers a summary of objectives that the AfDB should strive to achieve in the upcoming year.

The World Bank. (2006, November). *Africa Region: Making Finance Work for Africa*. Retrieved September 13, 2008, from The World Bank Web site:

<http://siteresources.worldbank.org/INTAFRISUMAFTPS/Resources/MFWfAFinalNov2.pdf>

This is the best resource available when looking to understand the current financial system in Africa as well as what is needed to morph the current system into a modern westernized financially compatible system. Access to finance is vital for unlocking growth within Africa, but productive means of channeling assets are also needed for increased financing to have a positive effect. Making financial systems in Africa more productive has been a goal amongst many policy makers the continent over, and this report highlights what has already and what is currently being done to help financial systems deliver rapid growth across all income levels. This report explains why a new financial system in Africa is desirable. And while this report is 200 pages in length, it is well organized and labeled so that you can research exactly what you are looking for.

The World Bank. (1996). *Reforming State-Dominated Banking Systems in Africa: Financial Adjustment and Technical Assistance Programs*. Retrieved September 14, 2008, from The World Bank Group Web site: <http://www.worldbank.org/afr/findings/infobeng/infob7e.htm>

This brief article is a great resource not for its extensive information, but for all of the links that this web site provides. The object of this specific article is to explain why reforming state dominated banking

systems in Africa is necessary if the financial system is going to improve the capacity of the financial institutions to serve the ever-growing African population. The continent of Africa has a young and growing population which when coupled with high productivity leads to a global economic success and stability. Africa has vast natural resource wealth and the entire continent has enormous potential to succeed, yet extreme poverty and inefficient state run programs continue to be allowed.

The World Bank. (2004, January 13). *The Washington Consensus as Policy Prescription for Development.*

Retrieved September 30, 2008, from

<http://info.worldbank.org/etools/bspan/PresentationView.asp?PID=1003&EID=328>

The World Bank's website has a link to a two-hour presentation on the Washington Consensus and its application throughout the world. In addition to the link to the video, the web page provides a detailed summary of the presentation, which is valuable in its own right. This page will provide delegates with a summary of the Washington Consensus' origins, its prescriptions and how it has been applied. This summary will help delegates understand broad-based development strategies.

Viner, J. (1950). *The Customs Union Issue.* New York: Carnegie Endowment for International Peace.

Another mechanism that Africa could use to promote regional integration and trade is through the establishment of a cohesive customs union. Historically, a custom union is formed to help promote trade creation, or a country's ability to switch from a high cost domestic producer of a good to a lower cost partner country producer of the same good. This book provides a great insight into the creation of customs union. Through carefully collected data and empirical analysis, this book is able to make conclusions on the effects of customs unions that previously had never been proven. This book is an excellent resource for getting to understand the broader concepts associated with the creation of a customs union.

Winters, L. A., & Martins, P. M. G. (2004). When Comparative Advantage is not Enough: Business Costs in Small Remote Economies. *World Trade Review*, 3, 347-83.

Small economies of scale may have an inherent disadvantage due to their small scale and high transaction costs. This illustrates the point that promoting regional trade and integration is not as simple as just increasing the number of transactions that occur among African countries. As agriculture is a production staple in most African countries, increasing the frequency of agricultural trading is not the key to regional integration. This article investigates whether small and remote economies are inherently uncompetitive due to their misfortune of diseconomies of small scale and high transaction costs. This source provides great insight into how these economies of small-scale can be less attractive for commercial interests and how these economies might be able to overcome their misfortunes.

World Trade Organization. (n.d.). The WTO's rules. In *Regional Trade Agreements: Rules* (trade topics: regional trade agreements). Retrieved August 4, 2008, from the World Trade Organization Web site:

http://www.wto.org/english/tratop_e/region_e/regrul_e.htm

When a WTO member enters into a regional integration arrangement through which it grants more favorable conditions to the other parties in the RTA in comparison to other WTO members, then the RTA is departing from the guiding principle of non-discrimination defined in Article I of GATT, Article II of GATS, and elsewhere. This website provides a very in-depth look at regional trade agreements. This site also explains the guiding principle behind RTAs in the WTO, as well as the most favored nation clause in the WTO guidelines. This site should be used as a primary source to understanding what RTAs are, but should not be used as a primary source for the majority of your research.

World Trade Organization. (2008, July 23). Members and Observers. In *Understanding the WTO: the organization.* Retrieved August 4, 2008, from The WTO: Membership Web site:

http://www.wto.org/english/thewto_e/whatis_e/tif_e/org6_e.htm

This website is a great source to use when researching WTO membership. In addition to providing all of the members of the organization, trade statistics, WTO commitments, disputes, trade policy reviews, notifications, and information about the Regional member countries are provided. In an attempt to familiarize the reader with each of the members, all of the dates that members joined the organization are also provided. While this site does not provide direct information pertaining to WTO membership, it still is a good resource for beginning your research.

III. Strengthening Mechanisms to Prevent Money Laundering and Terrorism Financing

terrorist financing in Africa. Retrieved July 26, 2008, from

http://www.afdb.org/pls/portal/docs/PAGE/ADB_ADMIN_PG/DOCUMENTS/OPERATIONSINFORMATION/PREVENTION_BANK_STRATEGY_JULY_2007.PDF

Outlining the four key areas of the Bank's strategy to combat ML/FT, this document provides for the creation of bodies within RMCs modeled after the FATF. It acknowledges that implementation of this strategy must begin at once, but must be gradual. It also recognizes that the Bank is a potential target for ML activities and refers back to the Bank's own policies on good governance.

African Development Bank. (2008). *Recovering Africa's Stolen Assets; the next frontier in the fight against corruption. An interview with Gabriel Negatu, Director of the Bank Group's Governance, Economic and Financial Reforms Department (OSGE)*. Retrieved July 29, 2008 from http://www.afdb.org/portal/page?_pageid=293,174339&_dad=portal&_schema=PORTAL&press_item=24706303&press_lang=us

Corruption is an issue that has major consequences for governance and development. It not only undermines the economy, but the entire social system as it destroys public confidence in government. In this short excerpt from an interview conducted by an unidentified interviewer Negatu answers the question "What role is the Bank Group currently playing in this fight to recover Africa's stolen assets?" In answering, Negatu identifies ML prevention as one of the main aspects of the Bank's mandate.

Bester, Hennie, et al. (2008, February). *Implementing FATF standards in developing countries and financial inclusion: Findings and guidelines*. Retrieved September 26, 2008, from http://www.microfinancegateway.org/files/50424_file_02.pdf

The implementation of AML/CFT regimes may have unintended consequences, affecting people not meant as targets. One of the groups at biggest risks for being affected are those existing at the margins of society, often operating in the informal economy. This report examines the social impact of implementing AML/CFT programs in five countries: Indonesia, Kenya, Mexico, Pakistan and South Africa. It offers guidelines aimed at assisting developing countries to implement AML/CFT institutions, like FATF standards, without sacrificing social inclusion.

de Koker, L. (2002, September 1). *Money laundering in South Africa*. Retrieved July 26, 2008, from <http://www.iss.co.za/Pubs/CReports/1DeKokerProjectPaper.pdf>

Detailing money laundering in South Africa, de Koker's report begins with a discussion of South Africa's legal system as it pertains to money laundering and explains the types of money laundering activities occurring in South Africa. It outlines other institutional frameworks for dealing with money laundering, looks at the links between money laundering and terrorist financing, and draws the significant conclusion that while South Africa has an excellent framework in place to deal with money laundering issues, the challenge of implementing this framework in an efficient and effective manner remains. It also concludes that greater regional cooperation will facilitate the fight against money laundering for all partners.

Eastern and Southern Africa Anti-Money Laundering Group. (n.d.). *Strategic plan 2005-2008*. Retrieved August 25, 2005, from http://www.esaamlg.org/documents_storage/STRATEGIC_PLAN_05.pdf ESAAMLG's Strategic Plan states, "the sheer scale of money laundering and the damage that it causes warrants a strategic global approach." As the FATF has established a set of widely-accepted international standards to deal with ML issues, ESAAMLG focuses its and its members' activities on a results-oriented approach to meeting the FATF's 40+9 Recommendations. Its plan contains implementation and monitoring objectives and outlines strategic objectives and the results those objectives are expected to achieve.

Eastern and Southern Africa Anti-money Laundering Group. (2004). *Eastern and Southern Africa Anti-Money Laundering Group: Welcome*. Retrieved July 29, 2008, from <http://www.esaamlg.org/index.php> As an FSRB whose membership comprises more than 25% of African Union Members, ESAAMLG is one of the African FSRBs toward which the AfDB may wish to look for examples of successes and opportunities for improvement as it moves forward with its own AML/CFT plans.

As an FSRB, ESAAMLG not only coordinates efforts and communications between its Member States, but also between Member States and a number of outside organizations, such as the World Bank and the Egmont Group, further emphasizing the need for a cohesive, global approach to AML/CFT.

Egmont Group. (2008, May 29). *Major meeting of FIUs in Korea progresses the fight against money laundering and terrorist financing*. Retrieved July 29, 2008, from

http://www.egmontgroup.org/PRESS_RELEASE_version_27_MAY_2008_G.pdf

The Egmont Group's more than 100 FIUs are essential to the global fight against ML and other financial crimes. This press release from the 2008 annual meeting of the Egmont Group, which took place in Seoul, South Korea, explains some background of the Egmont Group. Currently, the Group is focused on developing FIUs in Africa as a means of combating corruption and promoting development.

Financial Action Task Force. (n.d.). *9 Special Recommendations (SR) on Terrorist Financing (TF)*. Retrieved September 16, 2008 from [http://www.fatf-](http://www.fatf-gafi.org/document/9/0,3343,en_32250379_32236920_34032073_1_1_1_1,00.html)

[gafi.org/document/9/0,3343,en_32250379_32236920_34032073_1_1_1_1,00.html](http://www.fatf-gafi.org/document/9/0,3343,en_32250379_32236920_34032073_1_1_1_1,00.html)

The Special Recommendations on Terrorist Financing are designed to complement the 40 Recommendations' efforts in CFT. More specifically, the goal of the 9 Special Recommendations is to assist in the fight against international terrorism by inhibiting the flow of funds to terrorist organizations around the world. Delegates should familiarize themselves with the 40+9 Recommendations as they serve as a comprehensive international guide for AML/CFT activities.

Financial Action Task Force. (n.d.). *The 40 Recommendations*. Retrieved September 16, 2008 from

http://www.fatf-gafi.org/document/28/0,3343,en_32250379_32236930_33658140_1_1_1_1,00.html

The 40 Recommendations form the backbone of FATF AML efforts. The Recommendations are revised periodically to remain ahead of the changing techniques employed by money launderers. Also, the FATF will occasionally issue Interpretive Notes to assist AML practitioners in implementing the Recommendations. This page provides an overview of the Recommendations and their objectives. It reviews the Recommendations one by one and provides links to Interpretive Notes on each Recommendation, making this a very useful background resource for FATF activity.

Financial Action Task Force. (n.d.). *About the FATF*. Retrieved September 16, 2008 from [http://www.fatf-](http://www.fatf-gafi.org/pages/0,3417,en_32250379_32236836_1_1_1_1_1,00.html)

[gafi.org/pages/0,3417,en_32250379_32236836_1_1_1_1_1,00.html](http://www.fatf-gafi.org/pages/0,3417,en_32250379_32236836_1_1_1_1_1,00.html)

Established in 1989, the FATF aims to facilitate and promote global cooperation and coordination in the fight against ML and FT. To that end it promotes its 40+9 Recommendations and monitors the progress of states seeking to implement those Recommendations. Furthermore, the FATF makes efforts to identify ML and FT threats to enable states to better apply the Recommendations.

Financial Action Task Force. (n.d.). *FATF*. Retrieved July 29, 2008, from [http://www.fatf-](http://www.fatf-gafi.org/pages/0,3417,en_32250379_32235720_1_1_1_1_1,00.html)

[gafi.org/pages/0,3417,en_32250379_32235720_1_1_1_1_1,00.html](http://www.fatf-gafi.org/pages/0,3417,en_32250379_32235720_1_1_1_1_1,00.html)

The FATF was created by the G7, but must occasionally renew its mandate. In 2001, CFT was added to the FATF's agenda. Its Member States and organizations work together to assist each other and to promote the FATF's standards to non-members by promoting adoption of the 4-+9 Recommendations and offering assistance in their implementation.

Financial Action Task Force. (n.d.). *Intergovernmental Anti-Money Laundering Group in Africa (GIABA)*. Retrieved July 29, 2008, from [http://www.fatf-](http://www.fatf-gafi.org/document/60/0,3343,en_32250379_32236869_34393596_1_1_1_1,00.html)

[gafi.org/document/60/0,3343,en_32250379_32236869_34393596_1_1_1_1,00.html](http://www.fatf-gafi.org/document/60/0,3343,en_32250379_32236869_34393596_1_1_1_1,00.html)

Established by ECOWAS in 1999 to serve the West African region, GIABA is one of the FATF's member organizations. GIABA promotes cooperation among its members as a means of protecting the financial systems and economies of the region. Like ESAAMLG, GIABA is one of the regional examples to which the AfDB may consider turning to inform its own programs.

Financial Action Task Force. (n.d.). *Terrorist financing*. Retrieved September 16, 2008 from [http://www.fatf-](http://www.fatf-gafi.org/pages/0,3417,en_32250379_32236947_1_1_1_1_1,00.html)

[gafi.org/pages/0,3417,en_32250379_32236947_1_1_1_1_1,00.html](http://www.fatf-gafi.org/pages/0,3417,en_32250379_32236947_1_1_1_1_1,00.html)

In October, 2001, the FATF expanded its mandate beyond ML to include CFT. Since then it has issued the 9 Special Recommendations on Terrorist Financing and also the FATF Plan of Action for CFT. Furthermore, emphasizing the close links between ML and FT, the FATF has stated that the Special Recommendations will be taken into account when revising the 40 Recommendations.

Financial Action Task Force. (n.d.). *Members & Observers*. Retrieved September 17, 2008 from http://www.fatf-gafi.org/pages/0,3417,en_32250379_32236869_1_1_1_1_1,00.html

The FATF is currently comprised of 32 Member States and two regional Member Organizations. A number of FATF members are also Non-Regional Members of the AfDB. Additionally, the FATF cooperates with many other global organizations involved in AML activity. When considering applicants for membership a number of factors, such as geographic balance and the strategic importance of the applicant, are considered and the applicant must be compliant or nearly compliant with all FATF Recommendations.

Financial Intelligence Centre, Republic of South Africa. (2008). *Organisation profile*. Retrieved July 29, 2008, from <http://www.fic.gov.za/ContentPage.aspx?enc=6qnLLtcM2WfXFOlahFA7mA==>

South Africa's FIC was established in 2002 and began receiving reports in early 2003. The FIC seeks to promote and ensure compliance of South Africa's financial sector with international standards in the fields of AML/CFT and to enforce accountability requirements for South African institutions as a means of achieving that goal. Partly as a result of the FIC's creation, South Africa became a member of the FATF in 2003 and is currently the only African Member State.

Global Organization of Parliamentarians against Corruption. (2003, November 5). *Report on GOPAC/APNAC/IMF anti-money laundering workshop*. Retrieved July 26, 2008, from [http://www.gopacnetwork.org/Docs/Report on Nairobi Workshop.pdf](http://www.gopacnetwork.org/Docs/Report%20on%20Nairobi%20Workshop.pdf)

The Global Organization of Parliamentarians against Corruption held an international workshop in Nairobi, Kenya, to discuss possibilities and potentials for international cooperation in AML/CFT efforts. It defined ML as a truly global problem, recognized the negative impacts of money laundering and corruption upon social and economic development, and emphasized the complex nature of the fight against money laundering due to the constant adaptation of new technologies.

Hübschle, Annette. (2007, January). *Terrorist financing in southern Africa: Are we making a mountain out of a molehill?* ISS Paper 132. Retrieved August 1, 2008 from http://www.iss.co.za/dynamic/administration/file_manager/file_links/PAPER132.PDF?link_id=32&slink_id=4094&link_type=12&slink_type=23&tmpl_id=3

Hübschle points out many of the issues facing African states attempting to meet international AML/CFT obligations. She illustrates the small role already played by financial institutions in the daily lives of many Africans because of the great prevalence of the informal economy in developing countries. She also shows that implementing AML/CFT measures carries little benefit for many of these countries, prevents people from participating in the formal economy, and may prevent local institutions from being competitive with larger multinational banks.

Inter-Governmental Action Group against Money Laundering and Terrorist Financing in West Africa. (2008). *About GIABA*. Retrieved July 29, 2008, from http://www.giaba-westafrica.org/index.php?option=com_content&task=view&id=17&Itemid=37

GAIBA is an FSRB responsible for AML/CFT in West Africa; all ECOWAS Member States are also members of GAIBA. Like other FSRBs, GAIBA stresses the importance of international cooperation in its approach to AML/CFT. In order for developing countries to succeed in their fight against corruption and ML, the donor community must be closely involved, including such organizations as the World Bank and IMF.

International Monetary Fund. (2008, April). *The IMF and the fight against money laundering and the financing of terrorism* [Fact sheet]. Retrieved July 29, 2008, from <http://www.imf.org/external/np/exr/facts/aml.htm>

ML is truly a global problem. In fact, exploiting regulatory differences between countries is one method used by money launderers. Countries with weaker AML regimes are targets for this type of activity and that vulnerability has severe detrimental effects, including a negative impact on

foreign investment. The IMF works closely with the FATF and other organizations to promote cooperation and the adoption of the FATF's global AML/CFT standards. The IMF offers technical assistance to countries seeking to implement the FATF's Recommendations and plays a large role in evaluating countries' compliance with those standards.

Lyman, Princeton N and J. Stephen Morrison. (2004, February). The terrorist threat in Africa. *Foreign Affairs*, 83(1), p75-86.

US foreign policy has dealt extensively with the terrorist threat in the Middle East. In spite of the 1998 bombings at the US embassies in Dar es Salaam and Nairobi and the 2002 attacks on a hotel and airplane in Mombasa, Africa as a whole has not received the same level of attention as other parts of the globe. Beyond al Qaeda, there may be grassroots terrorist threats in Africa that have gone mostly unnoticed. Coupled with Washington's al Qaeda-centric approach, the American inability to develop a coherent, unified policy vis-à-vis Africa may well play a large role, both in American security interests and in the development of Africa.

Masciandaro, D. (2004). *Combating black money: Money laundering and terrorism finance, international cooperation and the G8 role*. Retrieved July 26, 2008, from

<http://www.g7.utoronto.ca/conferences/2004/indiana/papers2004/masciandaro.pdf>

There is some concern over the links between non-cooperative countries and territories (NCCT) and ML/FT. Masciandaro addresses the variances in regulation between countries, and how that variance may be a factor in ML activities. It ends with the conclusion that the traditional "name-and-shame" and blacklisting approaches to AML/CFT are not only inefficient, but may actually be counterproductive because identifying a state as being poorly equipped to deal with ML merely serves as an advertisement for money launderers to engage in business there.

Middle East and North Africa Financial Action Task Force. (2007). *About MENAFATF*. Retrieved July 29, 2008, from <http://www.menafatf.org/categoryList.asp?cType=about>

The most effective way to establish a successful AML/CFT regime is through international cooperation. MENAFATF seeks to facilitate that cooperation in the Middle East and North Africa region. In particular, MENAFATF will work with the FATF to ensure that its 40+9 Recommendations are implemented throughout the 14 members of MENAFATF. Noticeably, in a move not present in GIABA or ESAAMLG, MENAFATF's objectives state that its efforts at cooperation will take place "in accordance with the particular cultural values, constitutional framework and legal systems in the member countries."

(2003, December). Money laundering: will South Africa wash whiter? *Hi-Tech Security Solutions*. Retrieved 17 September, 2008, from <http://securitysa.com/article.aspx?pk1ArticleId=2766&pk1CategoryId=103>

An outline of the legislative framework of South Africa's AML/CFT regime may be found here. While there is a legal framework in place in South Africa, legal restrictions can easily be circumvented if they are not drafted properly. For example a process known as smurfing, was devised by money launderers to avoid legislation requiring the reporting of financial transactions over a specific threshold amount; large amounts are broken down into smaller deposits that do not require reporting and the AML legislation becomes irrelevant. This article suggests a four-pronged approach to AML efforts at the level of the financial institution, including ID confirmation, verification of client's criminal records and sources of wealth, and audits of compliance with these measures.

Moshi, Humphrey P.B. (2007, October). Fighting money laundering: The challenges in Africa. *ISS Paper*, 152. Retrieved August 1, 2008 from

http://www.iss.co.za/index.php?link_id=28&slink_id=5096&link_type=12&tmpl_id=3

Africa is home to a number of unique circumstances that prohibit a one-size-fits-all approach to AML/CFT. ML and FT have devastating effects upon development, and Africa's weak law enforcement and judiciary structures make the continent a prime target for ML activities. Moshi outlines global and regional initiatives, like the 40+9 Recommendations, as well as African attempts to curtail corruption, such as the African Peer Review Mechanism. One significant issue for Africa is the prevalence of cash-based economies, which makes monitoring and detection of ML activities significantly more difficult.

- Schott, P. A. (2003). *Comprehensive reference guide to AML/CFT*. Retrieved July 27, 2008, from <http://www1.worldbank.org/finance/html/amlcft/referenceguide.htm>
The World Bank, in cooperation with the IMF, has developed this reference guide in an attempt to assist countries in implementing an AML/CFT regime in accordance with international standards. Recognizing the impact ML has upon social and economic development and political stability, this guide is the Bank's attempt to ensure easy access to information and technical assistance to countries seeking to implement an AML/CFT regime. International dialogue and cooperation is once again stressed as vital to the success of such a regime.
- SouthAfrica.info. (2003 June). *SA joins anti-dirty money body*. Retrieved September 17, 2008, from <http://www.southafrica.info/business/economy/policies/fatf-sa.htm>
On admitting South Africa into its ranks in 2003, the FATF stated "South Africa has developed a comprehensive legal structure to combat money laundering." A significant part of that legal framework is the FICA, which creates a number of AML obligations for businesses operating in South Africa's sector, such as stricter customer identification and record keeping requirements.
- UN News Centre. (2008, July 24). *Anti money-laundering technology created by UN agency installed in Namibia*. Retrieved September 16, 2008, from <http://www.un.org/apps/news/story.asp?NewsID=27479&Cr=UNODC&Cr1>
Namibia's new AML technology, called goAML, was developed by UNODC to help law enforcement in the AML battle. Similar software is valued at millions on the open market, but with assistance from UNODC goAML was installed in Namibia's National Bank for just \$200,000. UNODC has also assisted in installation of goAML software in Kosovo and the Egmont Group is planning to test and evaluate the software.
- United Nations. (1999). *International convention for the suppression of the financing of terrorism*. Retrieved July 29, 2008, from <http://untreaty.un.org/english/Terrorism/Conv12.pdf>
The relevant significant portion of this treaty makes particular note of the link between terrorist funding and terrorist activities. It calls on States party to the treaty to take action against individuals who are found to be involved in funding terrorist activities, calling for action such as the freezing and/or seizure of assets. It also calls for enhanced cooperation between Member States to facilitate CFT initiatives and investigations.
- United Nations. (1988). *United Nations convention against illicit traffic in narcotic drugs and psychotropic substances*. Retrieved July 29, 2008, from http://www.unodc.org/pdf/convention_1988_en.pdf
The Vienna Convention addresses many aspects surrounding the issue of drug crime, including laundering of money derived from drug crime. The Convention's Article 5 provides significant foundations for subsequent money laundering definitions.
- United Nations. (2001, January 8). *United Nations convention against transnational organized crime (UN Doc.A/55/383)*. Retrieved July 29, 2008, from http://www.unodc.org/pdf/crime/a_res_55/res5525e.pdf
The Palermo Convention includes an expansion of ML beyond the drug-related predicate offences outlined in the 1988 Vienna Convention. It also notes the links between transnational organized crime, such as ML, and terrorist activities.
- United Nations Office on Drugs and Crime Anti-Money Laundering Unit. (2007, January). *An overview of the UN conventions and other international standards concerning anti-money laundering and countering the financing of terrorism*. Retrieved July 29, 2008, from http://www.imolin.org/pdf/imolin/Overview%20Update_0107.pdf
This paper contains an in-depth analysis of the various aspects of international AML/CFT standards and practices and details the ways in which the various UN conventions and other international arrangements and institutions are relevant to each such aspect. Through this paper, one can trace the evolutionary process of standards, such as the FATF 40+9 Recommendations, and see how various other institutions have affected and been affected by those standards. This may be the single most valuable resource relating to the history and background of the topic at hand.

United Nations Office on Drugs and Crime. (n.d.). *GPML mandate* [PowerPoint slides]. Retrieved July 29, 2008, from <http://www.unodc.org/documents/money-laundering/GPML-Mandate.pdf>
The GPML was established by UNODC in 1997 as a response to the 1988 Vienna Convention. A number of subsequent conventions and UN Security Council Resolutions strengthen GPML's mandate, which is specifically to assist UN Member States in ratifying the international framework of AML/CFT standards and in implementing those programs domestically.

United Nations Office on Drugs and Crime. (2008). *IMoLIN Participating Organizations*. Retrieved July 29, 2008, from <http://www.imolin.org/imolin/organiza.html>
IMoLIN is utilized by organizations from across the globe, including the FATF and GPML, and the World Bank and IMF. The information contained in IMoLIN's databases is designed for use by any entity seeking to enact or strengthen an AML/CFT regime.

United Nations Office on Drugs and Crime. (2007). *IMoLIN*. Retrieved July 29, 2008, from <http://www.imolin.org/imolin/index.html>
The International Money Laundering Information Network is an internet-based network used by government, law enforcement, and individuals to abreast of developments in the field of AML/CFT. It disseminates information regarding international standards, the legal institutions adopted by various states and organizations, and current and upcoming events of interest to AML/CFT practitioners.

United Nations Office on Drugs and Crime. (2008). *International Money-Laundering Information Network (IMoLIN)/Anti-Money-Laundering International Database (AMLID)*. Retrieved September 16, 2008, from <http://www.unodc.org/unodc/en/money-laundering/imolin-amlid.html>
IMoLIN was established by the UN in 1998 and is now administered by the UNODC. One of the key features of IMoLIN is AMLID, the Anti-Money Laundering International Database, which contains not only information on the AML/CFT frameworks enacted by various states, but also contact information for various national authorities. It is this emphasis on communication which was key to the founding of IMoLIN and which remains key to its current activities.

United Nations Office on Drugs and Crime. (2008). *Partnerships*. Retrieved September 16, 2008, from <http://www.unodc.org/unodc/en/money-laundering/partnerships.html>
The GPML is an active partner with a number of different international organizations such as the World Bank, INTERPOL, and the Egmont Group. It is also an observer to eight FSRBs, including ESAAMLG, MENAFATF, and GIABA. Within the UNODC, GPML serves as a contact between various departments such as the Law Enforcement Unit and the Terrorism Prevention Branch. In this way, GPML fulfills its role as a facilitator of communications and interaction among the relevant international bodies involved in AML/CFT activity.

United States Treasury Department. (2006). *African Development Bank Group*. Retrieved July 29, 2008, from <http://www.ustreas.gov/offices/international-affairs/intl/fy2006/7afdb.pdf>
The US contributes approximately \$5 million per year to the AfDB, which the Bank then uses to promote sustainable development and reduce poverty in Africa. The AfDB focuses its lending efforts in the areas of promoting good governance and furthering regional integration. Both of these goals are essential to the development of successful AML/CFT frameworks. The AfDB has also become aware of the need for greater accountability and to that end has adopted a four-point anti-corruption strategy and instituted a whistle-blower protection policy.

United States Department of the Treasury Financial Crimes Enforcement Network. (n.d.). *Egmont Group of Financial Intelligence Units*. Retrieved August 30, 2008 from <http://www.fincen.gov/international/egmont/>
FinCEN, the US Financial Crimes Enforcement Network, contains a great deal of information about AML efforts, both within the US and internationally. This particular page is a backgrounder on the Egmont Group, which was founded in 1995 as a small group of FIUs seeking to enhance their capacity for cooperation. The Egmont Group has grown from 14 to over 100 members and seeks to facilitate communication and offer training to its members.

Rules of Procedure African Development Bank

Introduction

1. These rules shall be the only rules which apply to the African Development Bank (hereinafter referred to as “the Bank”) and shall be considered adopted by the Bank prior to its first meeting.
2. For purposes of these rules, the Plenary Director, the Assistant Director(s), the Under-Secretaries-General, and the Assistant Secretaries-General, are designates and agents of the Secretary-General and Director-General, and are collectively referred to as the “Secretariat.”
3. Interpretation of the rules shall be reserved exclusively to the Director-General or her or his designate. Such interpretation shall be in accordance with the philosophy and principles of the National Model United Nations and in furtherance of the educational mission of that organization.
4. For the purposes of these rules, “President” shall refer to the chairperson or acting chairperson of the Bank.

I. SESSIONS

Rule 1 - Dates of convening and adjournment

The Bank shall meet every year in regular session, commencing and closing on the dates designated by the Secretary-General.

Rule 2 - Place of sessions

The Bank shall meet at a location designated by the Secretary-General.

II. AGENDA

Rule 3 - Provisional agenda

The provisional agenda shall be drawn up by the Secretary-General and communicated to the Members of the United Nations at least sixty days before the opening of the session.

Rule 4 - Adoption of the agenda

The agenda provided by the Secretary-General shall be considered adopted as of the beginning of the session. The order of the agenda items shall be determined by a majority vote of those present and voting. Items on the agenda may be amended or deleted by the Bank by a two-thirds majority of the members present and voting.

The vote described in this rule is a procedural vote and, as such, observers are permitted to cast a vote. For purposes of this rule, “those present and voting” means those delegates, including observers, in attendance at the meeting during which this motion comes to a vote.

Rule 5 - Revision of the agenda

During a session, the Bank may revise the agenda by adding, deleting, deferring or amending items. Only important and urgent items shall be added to the agenda during a session. Permission to speak on a motion to revise the agenda shall be accorded only to three representatives in favor of, and three opposed to, the revision. Additional items of an important and urgent character, proposed for inclusion in the agenda less than thirty days before the opening of a session, may be placed on the agenda if the Bank so decides by a two-thirds majority of the members present and voting. No additional item may, unless the Bank decides otherwise by a two-thirds majority of the members present and voting, be considered until a committee has reported on the question concerned.

For purposes of this rule, the determination of an item of an “important and urgent character” is subject to the discretion of the Secretariat, and any such determination is final. If an item is determined to be of such a character, then it requires a two-thirds vote of the Bank to be placed on the agenda. It will, however, not be considered by the Bank until a committee has reported on the question. The votes described in this rule are substantive vote, and, as such, observers are not permitted to cast a vote. For purposes of this rule, “the members present and voting” means those members (not including observers) in attendance at the session during which this motion comes to vote.

Rule 6 - Explanatory memorandum

Any item proposed for inclusion in the agenda shall be accompanied by an explanatory memorandum and, if possible, by basic documents.

III. SECRETARIAT

Rule 7 - Duties of the Secretary-General

1. The Secretary-General or her/his designate shall act in this capacity in all meetings of the Bank.
2. The Secretary-General shall provide and direct the staff required by the Bank and be responsible for all the arrangements that may be necessary for its meetings.

Rule 8 - Duties of the Secretariat

The Secretariat shall receive, print, and distribute documents, reports, and resolutions of the Bank, and shall distribute documents of the Bank to the Members of the United Nations, and generally perform all other work which the Bank may require.

Rule 9 - Statements by the Secretariat

The Secretary-General, or her/his representative, may make oral as well as written statements to the Bank concerning any question under consideration.

Rule 10 - Selection of the President

The Secretary-General or her/his designate shall appoint, from applications received by the Secretariat, a President who shall hold office and, *inter alia*, chair the Bank for the duration of the session, unless otherwise decided by the Secretary-General. The Bank shall have twenty-one Vice-Presidents, based on the same apportionment as the Vice-Presidents recognized in the Bank.

Rule 11 - Replacement of the President

If the President is unable to perform her/his functions, a new President shall be appointed for the unexpired term at the discretion of the Secretary-General.

IV. LANGUAGE

Rule 12 - Official and working language

English shall be the official and working language of the Bank.

Rule 13 - Interpretation (oral) or translation (written)

Any representative wishing to address any United Nations organ or submit a document in a language other than English shall provide interpretation or translation into English.

This rule does not affect the total speaking time allotted to those representatives wishing to address the body in a language other than English. As such, both the speech and the interpretation must be within the set time limit.

V. CONDUCT OF BUSINESS

Rule 14 - Quorum

The President may declare a meeting open and permit debate to proceed when representatives of at least one third of the members of the Bank are present. The presence of representatives of a majority of the members of the Bank shall be required for any decision to be taken.

For purposes of this rule, "members of the Bank" means the total number of members (not including observers) in attendance at the first night's meeting.

Rule 15 - General powers of the President

In addition to exercising the powers conferred upon him or her elsewhere by these rules, the President shall declare the opening and closing of each meeting of the Bank, direct the discussions, ensure observance of these rules, accord the right to speak, put questions to the vote and announce decisions. The President, subject to these rules, shall have complete control of the proceedings of the Bank and over the maintenance of order at its meetings. He or she shall rule on points of order. He or she may propose to the Bank the closure of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times the representative of each member may speak on an item, the adjournment or closure of the debate, and the suspension or adjournment of a meeting.

Included in these enumerated powers is the President's power to assign speaking times for all speeches incidental to motions and amendment. Further, the President is to use her/his discretion, upon the advice and at the consent of the Secretariat, to determine whether to entertain a particular motion based on the philosophy and principles of the NMUN. Such discretion should be used on a limited basis and only under circumstances where it is necessary to advance the educational mission of the Conference. For purposes of this rule, the President's power to "propose to the Bank" entails her/his power to "entertain" motions, and not to move the body on his or her own motion.

Rule 16

The President, in the exercise of her or his functions, remains under the authority of the Bank.

Rule 17 - Points of order

During the discussion of any matter, a representative may rise to a point of order, which shall be decided immediately by the President. Any appeal of the decision of the President shall be immediately put to a vote, and the ruling of the President shall stand unless overruled by a majority of the members present and voting.

Such points of order should not under any circumstances interrupt the speech of a fellow representative. Any questions on order arising during a speech made by a representative should be raised at the conclusion of the speech, or can be addressed by the President, sua sponte, during the speech. For purposes of this rule, "the members present and voting" mean those members (not including observers) in attendance at the meeting during which this motion comes to vote.

Rule 18

A representative may not, in rising to a point of order, speak on the substance of the matter under discussion.

Rule 19 - Speeches

1. No one may address the Bank without having previously obtained the permission of the President. The President shall call upon speakers in the order in which they signify their desire to speak.
2. Debate shall be confined to the question before the Bank, and the President may call a speaker to order if her/his remarks are not relevant to the subject under discussion.
3. The Bank may limit the time allowed to speakers and all representatives may speak on any question. Permission to speak on a motion to set such limits shall be accorded only to two representatives favoring and two opposing such limits, after which the motion shall be put to the vote immediately. When debate is limited and a speaker exceeds the allotted time, the President shall call her or him to order without delay.

In line with the philosophy and principles of the NMUN, in furtherance of its educational mission, and for the purpose of facilitating debate, if the President determines that the Bank in large part does not want to deviate from the limits to the speaker's time as it is then set, and that any additional motions will not be well received by the body, the President, in her/his discretion, and on the advice and consent of the Secretariat, may rule as dilatory any additional motions to change the limits of the speaker's time.

Rule 20 - Closing of list of speakers

Members may only be on the list of speakers once but may be added again after having spoken. During the course of a debate the President may announce the list of speakers and, with the consent of the Bank, declare the list closed.

When there are no more speakers, the President shall declare the debate closed. Such closure shall have the same effect as closure by decision of the Bank.

The decision to announce the list of speakers is within the discretion of the President and should not be the subject of a motion by the Bank. A motion to close the speakers list is within the purview of the Bank and the President should not act on her/his own motion.

Rule 21 - Right of reply

If a remark impugns the integrity of a representative's State, the President may permit that representative to exercise her/his right of reply following the conclusion of the controversial speech, and shall determine an appropriate time limit for the reply. No ruling on this question shall be subject to appeal.

For purposes of this rule, a remark that "impugns the integrity of a representative's State" is one directed at the governing authority of that State and/or one that puts into question that State's sovereignty or a portion thereof. All interventions in the exercise of the right of reply shall be addressed in writing to the Secretariat and shall not be raised as a point of order or motion. The reply shall be read to the Bank by the representative only upon approval of the Secretariat, and in no case after voting has concluded on all matters relating to the agenda topic, during the discussion of which, the right arose.

Rule 22 - Suspension of the meeting

During the discussion of any matter, a representative may move the suspension of the meeting, specifying a time for reconvening. Such motions shall not be debated but shall be put to a vote immediately, requiring the support of a majority of the members present and voting to pass.

Rule 23 - Adjournment of the meeting

During the discussion of any matter, a representative may move the adjournment of the meeting. Such motions shall not be debated but shall be put to the vote immediately, requiring the support of a majority of the members present and voting to pass. After adjournment, the Bank shall reconvene at its next regularly scheduled meeting time.

As this motion, if successful, would end the meeting until the Bank's next regularly scheduled session the following year, and in accordance with the philosophy and principles of the NMUN and in furtherance of its educational mission, the President will not entertain such a motion until the end of the last meeting of the Bank.

Rule 24 - Adjournment of debate

A representative may at any time move the adjournment of debate on the topic under discussion. Permission to speak on the motion shall be accorded to two representatives favoring and two opposing adjournment, after which the motion shall be put to a vote immediately, requiring the support of a majority of the members present and voting to pass. If a motion for adjournment passes, the topic is considered dismissed and no action will be taken on it.

Rule 25 - Closure of debate

A representative may at any time move the closure of debate on the item under discussion, whether or not any other representative has signified her/his wish to speak. Permission to speak on the motion shall be accorded only to two representatives opposing the closure, after which the motion shall be put to the vote immediately. Closure of debate shall require a two-thirds majority of the members present and voting. If the Bank favors the closure of debate, the Bank shall immediately move to vote on all proposals introduced under that agenda item.

Rule 26 - Order of motions

Subject to rule 23, the motions indicated below shall have precedence in the following order over all proposals or other motions before the meeting:

- a) To suspend the meeting;
- b) To adjourn the meeting;
- c) To adjourn the debate on the item under discussion;
- d) To close the debate on the item under discussion.

Rule 27 - Proposals and amendments

Proposals and substantive amendments shall normally be submitted in writing to the Secretariat, with the names of twenty percent of the members of the Bank would like the Bank to consider the proposal or amendment. The Secretariat may, at its discretion, approve the proposal or amendment for circulation among the delegations. As a general rule, no proposal shall be put to the vote at any meeting of the Bank unless copies of it have been circulated to all delegations. The President may, however, permit the discussion and consideration of amendments or of motions as to procedure, even though such amendments and motions have not been circulated. If the sponsors agree to the adoption of a proposed amendment, the proposal shall be modified accordingly and no vote shall be taken on the proposed amendment. A document modified in this manner shall be considered as the proposal pending before the Bank for all purposes, including subsequent amendments.

For purposes of this rule, all “proposals” shall be in the form of working papers prior to their approval by the Secretariat. Working papers will not be copied, or in any other way distributed, to the Bank by the Secretariat. The distribution of such working papers is solely the responsibility of the sponsors of the working papers. Along these lines, and in furtherance of the philosophy and principles of the NMUN and for the purpose of advancing its educational mission, representatives should not directly refer to the substance of a working paper that has not yet been accepted as a draft resolution. After approval of a working paper, the proposal becomes a draft resolution and will be copied by the Secretariat for distribution to the Bank. These draft resolutions are the collective property of the Bank and, as such, the names of the original sponsors will be removed. The copying and distribution of amendments is at the discretion of the Secretariat, but the substance of all such amendments will be made available to all representatives in some form.

Rule 28 - Withdrawal of motions

A proposal or a motion may be withdrawn by its sponsor at any time before voting has commenced, provided that it has not been amended. A motion thus withdrawn may be reintroduced by any representative.

Rule 29 - Reconsideration of a topic

When a topic has been adjourned, it may not be reconsidered at the same session unless the Bank, by a two-thirds majority of those present and voting, so decides. Reconsideration can only be moved by a representative who voted on the prevailing side of the original motion to adjourn. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing the motion, after which it shall be put to the vote immediately.

For purposes of this rule, “those present and voting” means those representatives, including observers, in attendance at the meeting during which this motion is voted upon by the body.

VI. VOTING

Rule 30 - Voting rights

Each member of the Bank shall have one vote.

This rule applies to substantive voting on amendments, draft resolutions, and portions of draft resolutions divided out by motion. As such, all references to “member(s)” do not include observers, who are not permitted to cast votes on substantive matters.

Rule 31 - Request for a vote

A proposal or motion before the Bank for decision shall be voted upon if any member so requests. Where no member requests a vote, the Bank may adopt proposals or motions without a vote.

For purposes of this rule, “proposal” means any draft resolution, an amendment thereto, or a portion of a draft resolution divided out by motion. Just prior to a vote on a particular proposal or motion, the President may ask if there are any objections to passing the proposal or motion by acclamation, or a member may move to accept the proposal or motion by acclamation. If there are no objections to the proposal or motion, then it is adopted without a vote.

Rule 32 - Majority required

1. Unless specified otherwise in these rules, decisions of the Bank shall be made by a majority of the members present and voting.
2. For the purpose of tabulation, the phrase “members present and voting” means members casting an affirmative or negative vote. Members which abstain from voting are considered as not voting.

All members declaring their representative States as “present and voting” during the attendance roll call for the meeting during which the substantive voting occurs, must cast an affirmative or negative vote, and cannot abstain.

Rule 33 – Omitted**Rule 34 - Method of voting**

1. The Bank shall normally vote by a show of placards, except that a representative may request a roll call, which shall be taken in the English alphabetical order of the names of the members, beginning with the member whose name is randomly selected by the President. The name of each present member shall be called in any roll call, and one of its representatives shall reply “yes,” “no,” “abstention,” or “pass.”

Only those members who designate themselves as “present” or “present and voting” during the attendance roll call, or in some other manner communicate their attendance to the President and/or Secretariat, are permitted to vote and, as such, no others will be called during a roll-call vote. Any representatives replying “pass,” must, on the second time through, respond with either “yes” or “no.” A “pass” cannot be followed by a second “pass” for the same proposal or amendment, nor can it be followed by an abstention on that same proposal or amendment.

2. When the Bank votes by mechanical means, a non-recorded vote shall replace a vote by show of placards and a recorded vote shall replace a roll-call vote. A representative may request a recorded vote. In the case of a recorded vote, the Bank shall dispense with the procedure of calling out the names of the members.
3. The vote of each member participating in a roll call or a recorded vote shall be inserted in the record.

Rule 35 - Explanations of vote

Representatives may make brief statements consisting solely of explanation of their votes after the voting has been completed. The representatives of a member sponsoring a proposal or motion shall not speak in explanation of vote thereon, except if it has been amended, and the member has voted against the proposal or motion.

All explanations of vote must be submitted to the President in writing before debate on the topic is closed, except where the representative is of a member sponsoring the proposal, as described in the second clause, in which case the explanation of vote must be submitted to the President in writing immediately after voting on the topic ends.

Rule 36 - Conduct during voting

After the President has announced the commencement of voting, no representatives shall interrupt the voting except on a point of order in connection with the actual process of voting.

Rule 37 - Division of proposals and amendments

Immediately before a proposal or amendment comes to a vote, a representative may move that parts of a proposal or of an amendment should be voted on separately. If there are calls for multiple divisions, those shall be voted upon in an order to be set by the President where the most radical division will be voted upon first. If objection is made to the motion for division, the request for division shall be voted upon, requiring the support of a majority of those present and voting to pass. Permission to speak on the motion for division shall be given only to two speakers in favor and two speakers against. If the motion for division is carried, those parts of the proposal or of the amendment which are involved shall then be put to a vote. If all operative parts of the proposal or of the amendment have been rejected, the proposal or the amendment shall be considered to have been rejected as a whole.

For purposes of this rule, “most radical division” means the division that will remove the greatest substance from the draft resolution, but not necessarily the one that will remove the most words or clauses. The determination of which division is “most radical” is subject to the discretion of the Secretariat, and any such determination is final.

Rule 38 - Amendments

An amendment is a proposal that does no more than add to, delete from, or revise part of another proposal.

An amendment can add, amend, or delete operative clauses, but cannot in any manner add, amend, delete, or otherwise affect perambulatory clauses.

Rule 39 - Order of voting on amendments

When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the amendment furthest removed in substance from the original proposal shall be voted on first and then the amendment next furthest removed there from, and so on until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted on.

For purposes of this rule, “furthest removed in substance” means the amendment that will have the most significant impact on the draft resolution. The determination of which amendment is “furthest removed in substance” is subject to the discretion of the Secretariat, and any such determination is final.

Rule 40 - Order of voting on proposals

If two or more proposals, other than amendments, relate to the same question, they shall, unless the Bank decides otherwise, be voted on in the order in which they were submitted.

Rule 41 - The President shall not vote

The President shall not vote but may designate another member of her/his delegation to vote in her/his place.

VII. PARTICIPATION OF NON-MEMBERS OF THE BANK

Rule 42 - Participation of non-governmental organization and intergovernmental organizations

Representatives of non-governmental organizations/intergovernmental organizations accorded consultative observer status by the General Assembly and other non-governmental organizations/intergovernmental organizations designated on an ad hoc or a continuing basis by the Bank, may participate, with the procedural right to vote, but not the substantive right to vote, in the deliberations of the Bank on questions within the scope of the activities of the organizations.

VIII. MINUTE OF SILENT PRAYER OR MEDITATION

Rule 43 - Invitation to silent prayer or meditation

Immediately after the opening of the first plenary meeting of the Bank, representatives may request to observe one minute of silence dedicated to prayer or meditation. This is the only time this motion will be entertained and its approval is at the discretion of the Secretariat.