

African Union, African Regional Bodies

Phyto-Sanitary Convention for Africa

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African Union

Phyto-Sanitary Convention for Africa

Published

Commenced on 6 October 1992

[This is the version of this document at 13 September 1967.]

WE, the Heads of African State and Government of the Organization of African Unity:

CONSIDERING that all possible steps should be taken—

- (a) to prevent the introduction of diseases, insect pests, and other enemies of plants into any part of Africa;
- (b) to eradicate or control them in so far as they are present in the area; and
- (c) to prevent their spread to other territories within the area;

CONSIDERING FURTHER that the former Commission for Technical cooperation in Africa has been integrated into the Organization of African Unity (hereinafter referred to as "OAU") and that the Phyto-sanitary Convention for Africa South of the Sahara, done at London on July 29, 1954, as amended in 1961, should be remodeled and expanded to meet the requirements of the African States;

RECOGNISING that the cooperation amongst the African States in controlling pests and diseases of plants and plant products and in preventing their introduction and spread across national boundaries would be a vital contribution towards the realization of stronger solidarity amongst their peoples;

RECOGNISING further the usefulness of the international cooperation provided for in the International Plant Protection Convention signed at Rome on December 6th, 1951, and the need for coordination of activities in this field;

RESOLVED to reinforce the links between our States by establishing and strengthening common institutions;

HAVE AGREED AS FOLLOWS:

Article I

1. The Phyto-sanitary Convention for Africa South of the Sahara done at London on July, 1954, and amended by Protocol done at London on October 11, 1961, is, and remain abrogated as far as it concerns the African Continent.
2. The present Convention shall apply to all Member States of the Organization of African Unity, herein after referred to as "Member States".

Article II – Measures of protection

Each Member State shall take such measures of quarantine, certification or inspection, or such other measures as may be considered necessary by the OAU in respect of any living organisms, plants, plant material, seeds, soil, compost or packing material (including containers) and any other article the importation of which has been considered by the OAU to constitute a threat to agriculture in any part of Africa.

Article III

Each Member State shall take such measures of quarantine, certification or inspection, or such other measures as may be considered necessary by the OAU in respect of any living organisms, plants, plant material, seeds,

soil, compost or packing material (including containers) and any other article the importation of which has been considered by the OAU to constitute a threat to agriculture in any part of Africa.

Article IV

Each Member State shall prohibit, for such period of time as the OAU may propose, the importation of any living organisms, plants, plant material, seeds, soil, compost or packing material (including containers) and any other article the importation of which the OAU has considered shall be refused admittance into any part of Africa.

Article V

Each Member State shall take such action as may be desirable to deal effectively with diseases, insect pests and other enemies of plants in its territory which the OAU considers have become, or are likely to become, a serious danger within Africa.

Article VI

Nothing in the foregoing Articles of the present Convention shall prevent any Member State from importing, under the safeguards to be recommended by the OAU, and for pure or applied scientific investigations, small quantities of plants, plant material or seeds or any other prohibited material. It is understood, however, that such importation of prohibited materials shall only be made in cases of absolute necessity and after ensuring that the risks involved would be kept at the barest minimum. The Member State concerned shall, however, inform the OAU of each importation of otherwise prohibited plants, plant material, seeds, or any other material which is made, and the OAU shall so inform all other Member States.

Article VII – Panel of Scientific Consultants

1. There shall be established a Panel of Scientific Consultants composed of Specialists in plant Pathology, Entomology, Nematology and other related disciplines.
2. The panel of Scientific Consultants shall advise the OAU on various technical problems relating to plant health and protection.
3. The Members of the Panel of Scientific Consultants shall be appointed by the Council of Ministers at the recommendation of the Educational, Scientific, Cultural and Health Commission. The Scientific Council of Africa shall make proposals of possible candidates to the Educational, Scientific, Cultural and Health Commission. Each Member of the Panel shall serve for a period of four years, and may be reappointed.
4. Consultation shall normally be done by mail, but when the volume of work warrants it meeting of the Panel may be called to deal with the work.

Article VIII – Meeting of phyto-sanitary matters

1. At the request of the Educational, Scientific, Cultural and Health Commission, or at the request of a Member State and after approval by half of the OAU Membership, a meeting of Plant Experts of Member States may be called to deal with phyto-sanitary matters.
2. The draft agenda shall be circulated at the time that the meeting is announced.
3. The Rules of procedure of the Educational, Scientific, Cultural and Health Commission shall be applied during such a meeting.
4. If at any time two-thirds of the Member States have renounced membership of the OAU, the remaining Member States shall hold a special meeting to decide whether or not the Convention shall continue to exist, and if so what administrative, financial and other arrangements would govern its continued existence.

Article IX – Miscellaneous provisions

The OAU General Secretariat shall service the operation of this Convention and also shall implement duly approved decisions of the OAU which may be taken as a result of the application and operation of the Convention.

Article X

Any dispute concerning the interpretation or application of this Convention which cannot be resolved by the Educational, Scientific, Cultural and Health Commission shall be referred to the Commission of Mediation, Conciliation and Arbitration of the OAU.

Article XI

The Convention may be amended or revised by the Educational, Scientific, Cultural and Health Commission in accordance with the provisions of Article XXXIII of the OAU Charter.

IN FAITH WHEREOF, WE THE HEADS OF AFRICAN STATE AND GOVERNMENT HAVE APPROVED THIS CONVENTION.

Done at Kinshasa in the Democratic Republic of Congo on the 13th day of September, 1967.

Member States of the Organization of African Unity

Algeria	Madagascar
Botswana	Malawi
Burundi	Mali
Cameroun	Mauritania
Central African Republic	Morocco
Chad	Niger
Congo (Brazzaville)	Nigeria
Congo (Kinshasa)	Rwanda
Dahomey	Senegal
Ethiopia	Sierra Leone
Gabon	Somalia
Gambia	Sudan
Ghana	Tanzania
Guinea	Togo
Ivory Coast	Tunisia
Kenya	Uganda
Lesotho	United Arab Republic
Liberia	Upper Volta
Libya	Zambia

13th September, 1967