

No. 53553*

Multilateral

Agreement for the establishment of the African Legal Support Facility. Tunis, 19 June 2008

Entry into force: *22 December 2008, in accordance with article XXVII*

Authentic texts: *English and French*

Registration with the Secretariat of the United Nations: *African Legal Support Facility,
1 March 2016*

Note: *See also annex A, No. 53553.*

**No UNTS volume number has yet been determined for this record. The Text(s) reproduced below, if attached, are the authentic texts of the agreement /action attachment as submitted for registration and publication to the Secretariat. For ease of reference they were sequentially paginated. Translations, if attached, are not final and are provided for information only.*

Multilatéral

Accord portant création de la facilité africaine de soutien juridique. Tunis, 19 juin 2008

Entrée en vigueur : *22 décembre 2008, conformément à l'article XXVII*

Textes authentiques : *anglais et français*

Enregistrement auprès du Secrétariat des Nations Unies : *Facilité africaine de soutien
juridique, 1^{er} mars 2016*

Note : *Voir aussi annexe A, No. 53553.*

**Le numéro de volume RTNU n'a pas encore été établi pour ce dossier. Les textes reproduits ci-dessous, s'ils sont disponibles, sont les textes authentiques de l'accord/pièce jointe d'action tel que soumises pour l'enregistrement et publication au Secrétariat. Pour référence, ils ont été présentés sous forme de la pagination consécutive. Les traductions, s'ils sont inclus, ne sont pas en form finale et sont fournies uniquement à titre d'information.*

Participant	Ratification, Accession (a), Acceptance (A) and Approval (AA)		
Djibouti	11 Dec	2008	AA
Ethiopia	2 Dec	2008	AA
Guinea-Bissau	19 Sep	2008	A
Madagascar	25 Nov	2008	AA
Senegal	28 Nov	2008	
Togo	4 Nov	2008	AA
Zambia	22 Dec	2008	AA

Note: The texts of the declarations and reservations are published after the list of Parties -- Les textes des déclarations et réserves sont reproduits après la liste des Parties.

Participant	Ratification, Adhésion (a), Acceptation (A) et Approbation (AA)		
Djibouti	11 déc	2008	AA
Éthiopie	2 déc	2008	AA
Guinée-Bissau	19 sept	2008	A
Madagascar	25 nov	2008	AA
Sénégal	28 nov	2008	
Togo	4 nov	2008	AA
Zambie	22 déc	2008	AA

[ENGLISH TEXT – TEXTE ANGLAIS]



AGREEMENT

FOR

THE ESTABLISHMENT

OF

THE AFRICAN LEGAL SUPPORT FACILITY

**THE STATES AND INTERNATIONAL ORGANIZATIONS,
PARTIES TO THE PRESENT AGREEMENT**

RECALLING the declaration of the African Finance Ministers of 2 June 2003 on Aid, Trade, Debt, IMF, HIV/AIDs in which they called for the rapid establishment of a legal technical assistance Facility to help Heavily Indebted Poor Countries ("HIPC") in Africa address the problems of creditor litigation;

MINDFUL of the fact that these lawsuits threaten the core objectives of the HIPC initiative by effectively reducing the impact of the debt relief for the HIPCs and causing inequitable burden sharing among creditors;

RECALLING that, in this regard, the Commission for Africa called for the establishment of a rapid response of a legal technical assistance Facility, independent of the Bretton Woods Institutions, to assist African countries pre-empt, avoid or successfully prosecute such lawsuits;

RECALLING the resolution of the African Ministerial Conference of February 2007, jointly organized by the African Development Bank and the United Nations Economic Commission for Africa, on the management of Africa's natural resources for growth and poverty reduction, which acknowledged the skills disparity between African and industrialized countries in negotiating contracts for extractive natural resources, and called specifically for the creation of a facility to assist African countries develop expertise and capacity to negotiate and conclude fair and equitable arrangements for the management of Africa's natural resources and extractive industries;

RECOGNISING that African countries lack expertise and capacity in creditor litigation and in negotiations of complex commercial transactions, and that their ability to acquire such expertise and capacity is constrained by financial and institutional limitations;

CONVINCED that beneficial commercial relationships and proper balance of rights and obligations in complex commercial transactions, investment agreements, natural resource contracts and creditor litigations can only be maintained if the parties thereto have full