

AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

UNIÃO AFRICANA

Addis Ababa, Ethiopia

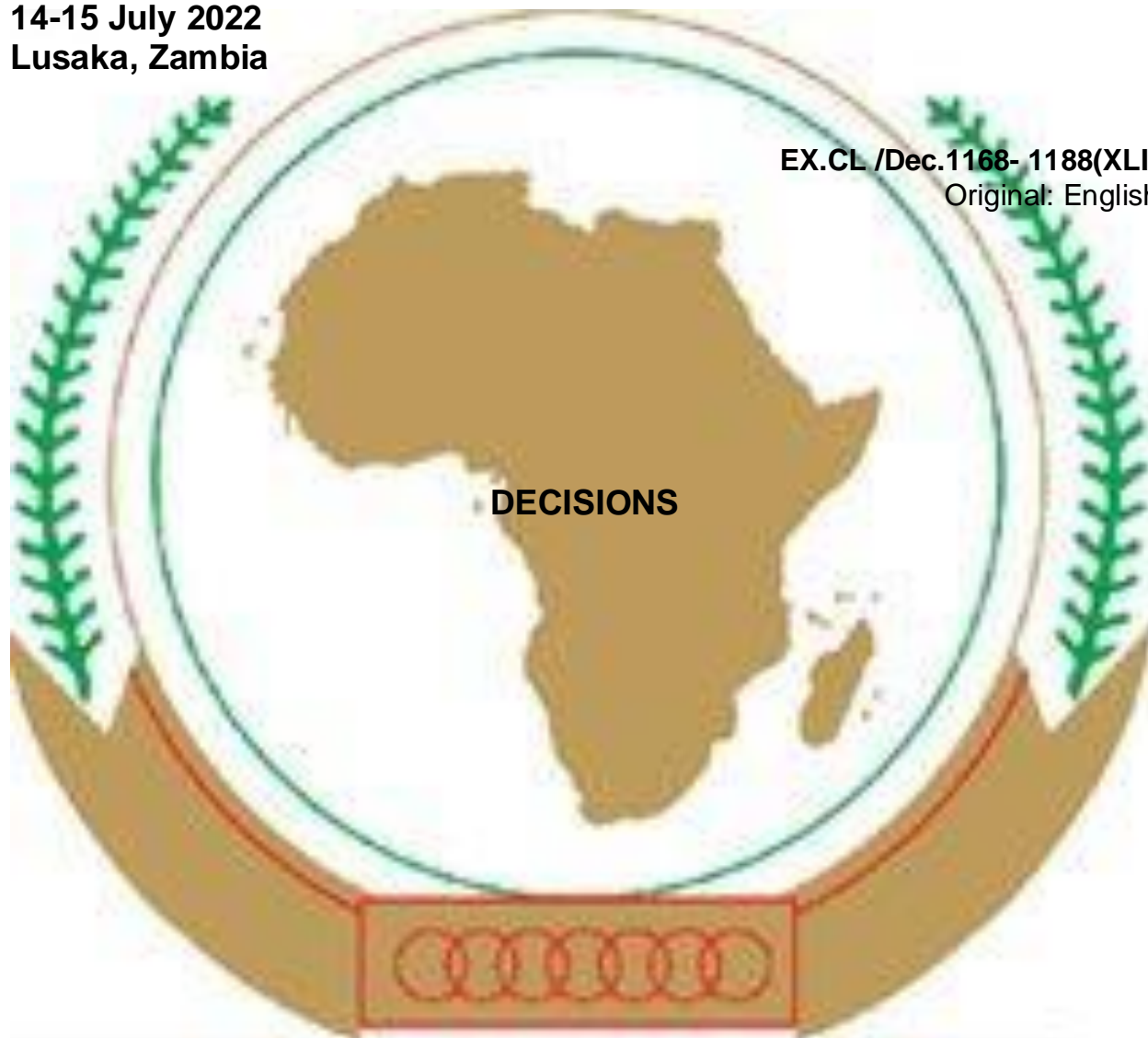
P. O. Box 3243

Telephone: 5517 700

Fax: 5517844

Website: www.au.int

EXECUTIVE COUNCIL
Forty-first Ordinary Session
14-15 July 2022
Lusaka, Zambia



EX.CL /Dec.1168- 1188(XLI)

Original: English

DECISION ON THE REPORTS OF THE SUB-COMMITTEES OF THE PERMANENT REPRESENTATIVES' COMMITTEE (PRC)

The Executive Council,

1. **TAKES NOTE** of the PRC recommendations on the reports of its Sub-Committees, taking into account observations made by Member States.

I. ON THE SUB-COMMITTEE ON AUDIT MATTERS - Doc: EX.CL/1343(XLI)

The Executive Council,

2. **TAKES NOTE** of the report of the PRC Sub-Committee on Audit Matters and **ENDORSES** the relevant recommendations;
3. **COMMENDS** the Office of Internal Oversight (OIO) for the extensive work and good performance in providing oversight on audit matters across the Union and **REQUESTS** the OIO to continue strengthening administrative and financial governance as well as the culture of accountability within the African Union.

A. TERMS OF REFERENCE FOR THE SUBCOMMITTEE ON AUDIT MATTERS

4. **RECALLS** Decision EX.CL/Dec.752(XXII) which approved the terms of reference on the mandate and work of the PRC Sub-Committee on Audit Matters and **COMMENDS** the Sub-Committee for assessing its own work using these terms of reference;
5. **ENCOURAGES** the Sub-Committee on Audit Matters to review its Terms of Reference in line with the additional mandate given on its work in line with the Revised African Union Financial Rules;
6. **ENCOURAGES** the Chairperson of the Sub-Committee to communicate with the respective Regional Deans to replace any members when their seats fall vacant in line with the requirements of the Terms of Reference of the Sub-Committee;
7. **DIRECTS** the Commission to assist the Sub-Committee in carrying out its mandate as per its Terms of Reference, AU Financial Rules and directives given by the Executive Council decisions;
8. **RECALLS** Decision EX.CL/Dec.1097(XXXVII), paragraph 70, and accordingly **REQUESTS** the Commission to organize a retreat for the members of the Sub-Committee in October 2022 to provide the necessary capacity building needs for effectively carry out their mandate.

B. BRIEFING ON THE FINANCIAL RULES (2022) AND THE STAFF REGULATIONS AND RULES (2010)

9. **TAKES NOTE** of the presentations and **EXPRESSES** concern about the delays in finalizing the review of the Staff Regulations and Rules (SRR);
10. **FURTHER EXPRESSES CONCERNS** on various articles in the SRR which have implementation challenges with high risks to the Union and **CALLS UPON** the Commission to urgently complete the review exercise, as envisaged in Decision EX.CL/Dec.1144(XL), of the proposals relating to certain entitlements in the draft revised SRR;
11. **INSTRUCTS** the Commission, AU Organs and Institutions to adhere to the AU rules and regulations;
12. **REITERATES** that disciplinary and punitive actions should be taken on staff and other officials with negative audit findings as a result of violating the rules, whereas those who left the Union with unsettled liabilities should be pursued to the extent of involving the Member States and other similar sister international organizations where they may have gone so as to recover Union's resources in line with Decision EX.CL/Dec.1126(XXXIX), paragraphs 56(iii), 58 and 59;
13. **URGES** the Commission to make quarterly staff quota reports availed to Member States and also make job publications known to them on time;
14. **FURTHER URGES** Member States to pay their assessed contributions on time to ensure adequate funding of the Union's annual budgets as required by the AU Financial Rules.

C. OFFICE OF INTERNAL OVERSIGHT (OIO) ACTIVITY REPORT FOR THE YEAR 2021

15. **TAKES NOTE** of the report and **COMMENDS** the OIO for producing a comprehensive annual performance report on its operations;
16. **DIRECTS** the OIO to include all relevant information on the key audit findings on internal control weaknesses noted each year in the utilization of the Union's resources;
17. **DIRECTS** the OIO to technically assist in capacitating Commission's departments to perform self-auditing through their own staff under the current structure.

D. GOVERNANCE, RISK MANAGEMENT AND INTERNAL CONTROLS

18. **REQUESTS** the PRC Sub-Committee on Headquarters and Host Agreements to tackle the outstanding issues regarding audit findings related to non-existence/expiry of host agreements and unclaimed VAT issues;
19. **URGES** the Commission to finalize and present the treasury and investment policy to ensure that Union's resources are well managed;
20. **NOTES WITH GRAVE CONCERN** various errors and delays in bank reconciliations and **DIRECTS** the Commission, through the Directorate of Finance, to put in place bank reconciliation policy to ensure that proper and timely reconciliations are made, and **FURTHER DIRECTS** the Commission to apply the appropriate disciplinary measures on staff members who fail to carry out bank reconciliations properly;
21. **ALSO NOTES WITH CONCERN** the huge number of unused flight tickets and the amounts incurred therein and **DIRECTS** the Commission to develop a comprehensive policy to address this issue and report to the Executive Council in February 2023;
22. **EXPRESSES** concern about the long outstanding advance payments to vendors and weakness in the procurement to process payments and cases of double payments and therefore **REQUESTS** the Board of External Auditors to carry out a comprehensive audit on procurement policies across the Union, payment processes, and all outstanding advance payments to vendors;
23. **TAKES NOTE** of the recurrent nature of the findings of the non-recovery of salary and travel advance payments to staff as well as imprest and loans, and the questionable nature of the entire process and the eligibility of staff members to be granted those benefits, and **REQUESTS** the Board of External Auditors to carry out an investigation on the status of all non-recovered amounts and the soundness of the processes for further disciplinary measures as necessary.

E. MATRIX ON IMPLEMENTATION OF EXECUTIVE COUNCIL DECISIONS ON AUDIT MATTERS

24. **TAKES NOTE** of the report and **COMMENDS** the Sub-Committee on Audit Matters for following up the implementation of the Executive Council decisions emanating from its work;
25. **EXPRESSES** serious concern about the delay in the implementation of audit decisions as well as the late responses from Commission and other AU Organs and **DIRECTS** the Commission and other AU Organs to provide a quarterly update on the implementation of Executive Council decisions related to audit matters and the challenges they face in this regard;

26. **DIRECTS** the Commission and other AU Organs to implement all Executive Council decisions on time and in line with the timelines thereof.

F. OFFICE OF INTERNAL OVERSIGHT (OIO) REPORT ON BUDGET PERFORMANCE FOR THE YEAR 2021 FOR AU ORGANS (AfCHPR, AUABC, AfCFTA, AUDA-NEPAD, ECOSOCC, PAP, ACHPR, APRM, CDC AND AUC)

27. **TAKES NOTE** of the reports and **DIRECTS** all AU Organs to implement fully the recommendations contained in their individual internal audit reports on budget performance for the year 2021 and comments from Member States;
28. **EXPRESSES** serious concerns on the low rate of implementation of programmes in most AU Organs and **CALLS UPON** all managers to ensure that implementation of programmes is enhanced;
29. **RECALLS** Decision EX.CL/Dec.1143(XL), paragraph 18(iii), and **DIRECTS** the Commission and other AU Organs to plan realistically to avoid low implementation rate and reduction of their respective budget ceilings as a result and **REITERATES** that a minimum rate of implementation threshold should be set up and submitted for consideration by the Sub-Committee on General Supervision and Coordination on Budgetary, Financial and Administrative Matters, so as to prevent departments from making high budget proposals and align budget proposals based on the available capacity of human resources;
30. **REQUESTS** the Commission to harmonize the internal audit reports on budget performance among all AU Organs and include adequately all relevant information when reporting on budget performance;
31. **RECALLS** Decisions EX.CL/Dec.815(XXX); EX.CL/Dec.1031(XXXIV) paragraph 11; EX.CL/Dec.1057(XXXV) paragraph 39 (b) and (h); EX.CL/Dec.1069(XXXV) paragraphs 10, 11 and 12; EX.CL/Dec.1071(XXXV) paragraph 9; EX.CL/Dec.1073(XXXVI) paragraph 40; EX.CL/Dec.1097(XXXVII) paragraph 18, and EX.CL/Dec.1143(XL) paragraph 18, and **REITERATES** that all departments within the Commission and other AU Organs that do not submit their reports in AMERT as required should not have their budget proposals considered for approval;
32. **RECALLS** Decision EX.CL/Dec.1073(XXXVI), paragraph 66(iii), and EX.CL/Dec.1057(XXXV), paragraph 39(b), that directed the release and allocation of budget to be in proportion with the performance in line with the AU Golden Rules on Budgeting and an average budget execution rate of the previous three years as well as implementation rate of audit recommendations;
33. **URGES** the Commission and other AU Organs to ensure that the budget execution reports reflect the impact of the programmes;

34. **FURTHER URGES** the Commission to put an effective strategy to engage Partners with low funding levels as compared to the pledges made so as to avoid budgets with funding gaps in line with Golden Rule Number 2;
35. **RECALLS** Decision EX.CL/Dec.1143(XL), paragraph 18(iv), and **URGES** the Commission to improve the AMERT system and **DIRECTS** all AU Organs to start using the AMERT system for effective planning, monitoring, evaluation and reporting of projects performance and avoid using manual systems;
36. **FURTHER INSTRUCTS** the Union management to tackle issues of reporting comprehensively to address concerns of both Member States and partners and to submit a report in this regard to the Sub-Committee on Audit Matters by November 2022;
37. **EXPRESSES GRAVE CONCERNS** on the challenges of staffing among all AU Organs and Departments of the Commission and their impact on implementation rates and **DIRECTS** the Commission to develop a comprehensive recruitment strategy to resolve this problem;
38. **ALSO WELCOMES** the trilateral informal consultations by Members of the Sub-Committee, Commission and partners to address audit related matters and **ENCOURAGES** the continued informal engagements with the partners.

G. THE INCEPTION REPORT ON FORENSIC AND PERFORMANCE AUDIT OF THE OTHER AU ORGANS

39. **TAKES NOTE** of the report and **COMMENDS** the Sub-Committee on Audit Matters for following up the implementation of the Executive Council decision on forensic and performance audit of other AU Organs;
40. **EXPRESSES** concerns on the delays in the procurement process and selection of the firm and **CONGRATULATES** Lochan & Co. for winning the bid;
41. **EXPRESSES** concerns on the challenges faced by the audit firm and **DIRECTS** all concerned AU Organs to cooperate with the audit firm, in particular on the provision of documents;

H. MATRIX ON IMPLEMENTATION OF AUDIT RECOMMENDATIONS AS AT 31 DECEMBER 2021

42. **TAKES NOTE** of the report and **COMMENDS** various managers for the efforts made in the implementation of previous internal audit recommendations;
43. **URGES** the OIO to continue with the periodic follow-up on the implementation of audit recommendations accordingly;

44. **INSTRUCTS** the Departments of the Commission and other AU Organs which have low implementation rates of audit recommendations to implement them without further delay, and to update the Sub-Committee on challenges faced in implementation in order to address them on a timely manner;
45. **DIRECTS** that the implementation status report should highlight the significance of the Executive Council decisions on audit matters in future updates;
46. **FURTHER DIRECTS** the Commission to consolidate all types of audit recommendations (internal/external/forensic) in one matrix using the Matrix of Audit decisions as a base.

I. OIO CERTIFICATION REPORTS ON RESERVE FUND AND OTHER FUNDS (MAINTENANCE, WORKING CAPITAL, PEACE FUND AND ADMINISTRATIVE COST FUND)

47. **TAKES NOTE** of the reports and **CALLS UPON** the Commission to put in place effective systems in the prudent management of the Reserve, AU Maintenance Fund, Working Capital Fund, Peace Fund and Administration Cost Fund in line with AU Financial Rules, and further **DIRECTS** as follows:
- i. regular monthly reviews and reconciliations should be made on the fund accounts to ensure adherence to the AU Financial Rules and also to ensure effective management of the funds;
 - ii. the Executive Council decisions made on the creation and maintenance of special funds should be followed in the management of the funds.

J. PROGRESS REPORT OF THE CHAIRPERSON OF THE AU COMMISSION (AUC) ON THE IMPLEMENTATION OF RECOMMENDATIONS OF THE PWC FORENSIC AND PERFORMANCE AUDIT ON AUC

48. **TAKES NOTE** of the report and **COMMENDS** the Commission's leadership for the comprehensive report submitted on further actions taken in the implementation of the recommendations by the PWC's forensic audit and the measures taken to enhance the work of Internal Accountability Committee (IAC);
49. **INSTRUCTS** the Chairperson of the Commission to enhance the implementation of the audit recommendations contained in the report and explore measures to shorten the length of time taken for the examination of each case in the report within the provisions of the SRR;
50. **RECALLS** Decisions EX.CL/Dec.1126(XXXIX) and EX.CL/Dec.1031(XXXIV), and **DIRECTS** the Commission to ensure that recoveries are made on all cases

that had financial losses identified in the PWC forensic audit report and other previous cases in a timely manner;

51. **ALSO DIRECTS** the Commission to reduce the 10 years' recovery period given to the staff who owed the Union an amount of US\$82,702.00;
52. **RECALLS** Decision EX.CL/Dec.1107(XXXVIII), paragraph 76(c), which requested "*to carry out a comprehensive audit to cover the staff files that were not covered by PWC since the sample size for the forensic audit covered only 112 files, and also to review the period 2019 to 2020 not covered by the PwC on all audit required areas*" and **TAKES NOTE** of the objectivity affecting the OIO to review its own staff personnel files and **REQUESTS** the Board of External Auditors to carry out this investigation in line with Article 89(e) of the AU Financial Rules;
53. **DIRECTS** the Commission to impose strong sanctions on staff who violate the rules in line with the offense involved to reflect the misconduct committed, strengthen the on boarding processes and develop ethical and accountability frameworks and training programs to develop a culture of integrity and honesty within the Commission and other AU Organs;
54. **RECALLS** Decisions EX.CL/Dec.1126(XXXIX)(vi), EX.CL/Dec1057(XXXV), paragraph 32(vii), and EX.CL/Dec.1143(XL), paragraph 18(iv), and **INSTRUCTS** the Commission to optimize the use of SAP for effective budgetary control, financial management and reporting in order to ensure value for money;
55. **ALSO RECALLS** Decision EX.CL/Dec.1126(XXXIX), paragraph 56(v), and **INSTRUCTS** the Commission to re-enforce the effectiveness of internal control systems by strengthening and prioritizing the recruitment for the key offices and directorates in charge of these controls including CDCP, ODG, OLC, HRM, OSS and OIO;
56. **FURTHER RECALLS** Decisions EX.CL/Dec.1057(XXXV), on the Transitional Plan, and EX.CL/Dec.1143(XL), paragraph 22, and **DIRECTS** the Commission to develop a strategy on how to speed up recruitments in the new structure and submit it for consideration of relevant PRC Sub-Committees by October 2022;
57. **RECALLS IN ADDITION** Decisions EX.CL/Dec.1031(XXXIV), paragraph 26, and EX.CL/Dec.1097(XXXVII) and **DIRECTS** the Commission to expedite the process of reviewing the SRR and ensure that they are adopted in the February 2023 summit. The revision of the SRR should also tackle the issues related to accountability and recovery of misappropriated funds by all staff categories and elected officials;
58. **ALSO RECALLS** Decision EX.CL/Dec.1107(XXXVIII), paragraph 79, and **DIRECTS** the Commission to work closely with the forensic audit firm appointed

to audit other AU Organs to avoid the challenges faced with the outcomes of PWC report;

59. **FURTHER RECALLS** Decision EX.CL/Dec.1126(XXXIX), paragraph 56(iv), and **DIRECTS** the Commission to ensure full implementation of the outstanding recommendations and submit a full and comprehensive implementation report as at 31 December 2022 which is the deadline.

II. ON THE SUB-COMMITTEE ON MULTILATERAL COOPERATION – Doc. EX.CL/1344(XLI)

A. DEVELOPMENT OF THE AU PARTNERSHIPS STRATEGY AND POLICY FRAMEWORK

60. **NOTES WITH CONCERN** the delays in the finalization of the Draft Partnerships Strategy and Policy Framework;
61. **REQUESTS** the PRC in close collaboration with the Commission to finalize the Draft Partnerships Strategy and Policy Framework for consideration by the Executive Council in February 2023.

B. THE AU–EU PARTNERSHIP

62. **COMMENDS** the European Union and the Government and people of Belgium for the successful hosting of the 6th AU–EU Summit on 17–18 February 2022, in Brussels, Belgium;
63. **RECOMMENDS** to the Assembly to endorse the Declaration of the 6th AU–EU Summit;
64. **REQUESTS** the PRC, in close collaboration with the Commission and the European Union to follow-up on the implementation of the Commitments made during the 6th AU–EU Summit and in particular to operationalize the AU–EU Partnership Ministerial Follow-up Committee, adopted during the 2nd AU–EU Ministerial Meeting held in Kigali, on 25–26 October 2021, in line with its Decision EX.CL/Dec.1143(XL).

C. AFRICA–ARAB PARTNERSHIP

65. **TAKES NOTE** of the proposal by the League of Arab States (LAS) and the Kingdom of Saudi Arabia (Host country of the 5th Africa–Arab Summit) to hold the 5th Africa–Arab Summit either during the first semester of 2023 or during the last quarter of 2023;

66. **REQUESTS** the PRC, in close collaboration with the Commission, the General Secretariat of the League of Arab States and the host country of the 5th Africa–Arab Summit, the Kingdom of Saudi Arabia, to agree on the exact dates for the holding of the 5th Africa–Arab Summit and its statutory preparatory Meetings in Riyadh, Saudi Arabia, taking into consideration the above-mentioned proposals and subject to the improvement in the public health conditions caused by the COVID-19 pandemic.

D. TOKYO INTERNATIONAL CONFERENCE ON AFRICAN DEVELOPMENT (TICAD)

67. **TAKES NOTE** of the consultations made during the TICAD Ministerial Meeting, which was held on 26–27 March 2022, through a complete virtual process;
68. **REQUESTS** the PRC, in collaboration with the Commission, the Republic of Tunisia (host country) and Japan, to fast track preparations for the TICAD 8 Summit, foster inclusiveness in accordance with the relevant AU decisions and to make every effort to ensure a successful TICAD 8 Summit;
69. **ALSO REQUESTS** the PRC, in close collaboration with the Commission and the African Diplomatic Corps in Tokyo, to take the lead in consolidating the contributions from AU Member States with regard to the Draft TICAD 8 Summit Declaration;
70. **REITERATES** Decision Assembly/AU/Dec.762(XXXIII), which “*REAFFIRMS the right of all AU Member States to participate in Statutory Meetings, related to partnerships between the African Union/African Continent and another Continent or Regional Organization*” and “*DECIDES that African Union/African Continent shall be represented at the Statutory Meetings of partnership between the African Union/African Continent and a partner country by the Members of the Bureau of the Assembly of the Union, the Chairpersons of Regional Economic Communities (RECs), the Chairperson of the Heads of State and Government Orientation Committee (HSGOC) of AUDA-NEPAD and the Chairperson of the AU Commission*”.

E. AFRICA–KOREA PARTNERSHIP

71. **COMMENDS** the Government and people of the Republic of Korea for the successful hosting of the 5th Korea–Africa Forum on 3 March 2022, in Seoul, Republic of Korea;
72. **ENDORSES** the 5th Korea–Africa Forum Declaration as well as the Korea–Africa Forum Framework of Cooperation 2022–2026;

73. **REQUESTS** the PRC, in close collaboration with the Commission and the Republic of Korea to follow-up on the implementation of the commitments made during the 5th Korea-Africa Forum through the Annual Policy Consultation Meeting.

III. ON THE SUB-COMMITTEE ON GENERAL SUPERVISION AND COORDINATION ON BUDGETARY, FINANCIAL AND ADMINISTRATIVE MATTERS – Doc. EX.CL/1346(XLI)

THE JOINT SITTING OF THE SUB-COMMITTEE ON GENERAL SUPERVISION AND COORDINATION ON BUDGETARY, FINANCIAL AND ADMINISTRATIVE MATTERS AND THE TECHNICAL EXPERTS OF THE F15

A. AFRICAN UNION BUDGET FOR 2023

74. **TAKES NOTE** of the reports of the PRC and Joint Sitting of its Sub-Committee on General Supervision and Coordination on Budgetary, Financial and Administrative Matters, Sub-Committee of Programs and Conferences and the F15's Technical Experts;

75. **APPROVES** a total AU budget for 2023 of an amount of **US\$654,878,933.00** broken down as follows:

a) The Regular budget of **US\$402,728,529.00** is broken down as follows:

i) Operating budget of **US\$163,697,256.00** to be funded as follows:

- US\$160,608,255.00 (98%) assessed on Member States;
- US\$3,089,000.00 (2%) from Maintenance Fund;

ii) Program Budget of **US\$239,031,273.00** to be financed as follows:

- US\$44,391,744.00 (18.6%) assessed on Member States;
- US\$811,000.00 (0.3%) from the Maintenance Fund;
- US\$10,000,000.00 (4.2%) from the Administrative Fund;
- and US\$183,828,529.00 (76.9%) to come from International Partners, out of which US\$19,418,162.00 is Technical Assistance;

b) Peace Support Operations with a total budget of **US\$252,150,404.00** fully funded by international partners;

c) Overall, the Union budget for 2023 will be financed as follows:

i) US\$205,000,000.00 (31.3%) to be assessed on Member States;

- ii) US\$3,900,000.00 (0.6%) from Maintenance Fund;
- iii) US\$10,000,000.00 (1.5%) from Administrative Costs; and
- iv) US\$435,978,933.00 (66.6%) to come from International Partners;



Organs	Member States Assessment			Maintenance Fund			Admin Fund	Partners	Total Budget 2023		
	Operating Budget	Programs	Total Assessment	Operating Budget	Programs	Total	Programs	Programs	Operating	Programs	Total
AUC	91,376,137	12,126,138	103,336,214	1,989,935	811,000	2,965,746	10,000,000	115,858,247	93,366,072	138,795,385	232,161,457
PAP	9,799,690	621,286	10,399,351	14,261		35,886		1,489,987	9,813,951	2,111,273	11,925,224
AfCHPR (The Court)	7,422,445	2,811,974	10,235,486	65,904		64,838		1,682,010	7,488,349	4,493,984	11,982,334
ACHPR (The Commission)	4,352,945	489,430	4,849,626	29,000		21,749		553,261	4,381,945	1,042,691	5,424,636
ECOSSOC	2,002,264	714,030	2,726,665	43,770		33,399		-	2,046,034	714,030	2,760,064
AUDA-NEPAD	10,313,208	8,092,912	18,515,060	291,879		182,940		10,347,268	10,605,088	18,440,180	29,045,268
AUCIL	247,900	58,304	306,205			-		-	247,900	58,304	306,205
Advisory Board on Corruption	1,556,643	460,406	2,024,621	31,347		23,775		-	1,587,990	460,406	2,048,396
Peace & Security Council	-	1,963,896	1,963,896			-		-	-	1,963,896	1,963,896
ACERWC	1,397,293	261,414	1,660,622	15,200		13,284		1,055,416	1,412,493	1,316,830	2,729,323
APRM	5,440,607	1,582,501	6,984,262	36,557		75,403		3,638,135	5,477,164	5,220,636	10,697,800
SPECIALIZED OFFICES											
AFREC	1,470,558	351,223	1,822,109	6,500		6,172		65,000	1,477,058	416,223	1,893,281
IPED	740,897	65,411	807,709	11,100		9,699		-	751,997	65,411	817,408
CIEFFA	621,690	-	628,469	27,000		20,221		1,000,222	648,690	1,000,222	1,648,912
PAU	2,671,438	9,754,616	12,434,944	100,000		91,110		3,863,836	2,771,438	13,618,452	16,389,890
AIR	722,740	-	728,618	9,000		3,121		254,364	731,740	254,364	986,104
AfCDC	4,188,609	3,640,330	7,830,079	15,600		14,460		17,489,495	4,204,209	21,129,825	25,334,034
AOSTI	380,426	100,000	480,302	17,104		17,227		-	397,530	100,000	497,530
AFRIPOL	1,058,113	39,680	1,115,133	55,900		38,560		533,083	1,114,013	572,763	1,686,776
SPORT COUNCIL	750,065	-	753,537	19,280		15,808		290,595	769,345	290,595	1,059,940
ASRIC	160,000	129,086	289,086	-		-		-	160,000	129,086	289,086
AfCFTA	6,298,068	477,080	6,834,601	211,262		151,808		21,459,262	6,509,330	21,936,342	28,445,672
PANASTAT	428,894	101,363	532,937	6,500		3,821		-	435,394	101,363	536,757
STATAFRIC	1,415,586	-	1,382,733	16,400		49,253		2,499,294	1,431,986	2,499,294	3,931,280

Observatory - Mali	967,581	-	969,118	13,000		11,462		42,152	980,581	42,152	1,022,733
Observatory - Morocco	947,278	346,591	1,296,582	13,000		10,287		-	960,278	346,591	1,306,869
Observatory - Khartoum	969,715	-	971,253	13,000		11,462		237,050	982,715	237,050	1,219,765
PCRD	814,631	32,400	848,507	10,000		8,523		436,916	824,631	469,316	1,293,947
ACBF	-	171,674	171,674	-		-		1,032,936	-	1,204,610	1,204,610
ACSRT	2,092,835		2,100,599	26,500		19,985		-	2,119,335	-	2,119,335
TOTAL before PSOs	160,608,255	44,391,744	205,000,000	3,089,000	811,000	3,900,000	10,000,000	183,828,529	163,697,256	239,031,273	402,728,529
PEACE OPERATIONS											
AMISOM			-			-		223,872,824	-	223,872,824	223,872,824
MNJTF			-			-		11,939,984	-	11,939,984	11,939,984
MILOBs and HROs			-			-		5,481,788	-	5,481,788	5,481,788
ERM			-			-		9,000,000	-	9,000,000	9,000,000
AU Continental Logistics Base			-			-		355,808	-	355,808	355,808
Medical Training Centre for PSOs			-			-		1,500,000	-	1,500,000	1,500,000
Total Peace Support	-	-	-	-	-	-	-	252,150,404	-	252,150,404	252,150,404
TOTAL	160,608,255	44,391,744	205,000,000	3,089,000	811,000	3,900,000	10,000,000	435,978,933	163,697,256	491,181,677	654,878,933

76. **TAKES NOTE** of the breakdown of the 2023 budget by expense category and by Organs/Specialized Offices as follows:

2023 BUDGET BY EXPENSE CATEGORY AND ORGAN						
Organ	Staff Cost	Operating	Capital	Total Operational	Programs	Total 2023 Budget
AUC	74,786,336	18,529,736	50,000	93,366,072	138,795,385	232,161,457
PAP	7,673,767	2,140,184		9,813,951	2,111,273	11,925,224
AfCHR (The Court)	6,714,749	773,600		7,488,349	4,493,984	11,982,334
ACHPR (The Commission)	3,491,445	890,500		4,381,945	1,042,691	5,424,636
ECOSSOC	1,831,479	214,555		2,046,034	714,030	2,760,064
AUDA-NEPAD	9,626,994	978,094		10,605,088	18,440,180	29,045,268
AUCIL	-	247,900		247,900	58,304	306,205
Advisory Board on Corruption	955,100	632,890		1,587,990	460,406	2,048,396
Peace & Security Council	-	-		-	1,963,896	1,963,896
ACERWC	1,138,013	274,480		1,412,493	1,316,830	2,729,323
APRM	4,606,643	870,521		5,477,164	5,220,636	10,697,800
AFREC	1,362,689	114,369		1,477,058	416,223	1,893,281
IPED	617,841	134,156		751,997	65,411	817,408
CIEFFA	491,580	157,110		648,690	1,000,222	1,648,912
PAU	2,121,738	649,700		2,771,438	13,618,452	16,389,890
AIR	697,210	34,530		731,740	254,364	986,104
AfCDC	3,626,488	577,721		4,204,209	21,129,825	25,334,034
AOSTI	294,221	103,309		397,530	100,000	497,530
AFRIPOL	908,653	205,360		1,114,013	572,763	1,686,776
Sport Council	657,002	112,342		769,345	290,595	1,059,940
ASRIC	-	160,000		160,000	129,086	289,086
AfCFTA	5,897,002	612,328		6,509,330	21,936,342	28,445,672
PANSTAT	396,894	38,500		435,394	101,363	536,757
STATAFRIC	1,243,767	188,219		1,431,986	2,499,294	3,931,280
Observatory - Mali	902,254	78,327		980,581	42,152	1,022,733
Observatory - Morocco	883,351	76,927		960,278	346,591	1,306,869
Observatory - Khartoum	902,283	80,432		982,715	237,050	1,219,765
PCRD	754,611	70,020		824,631	469,316	1,293,947
ACBF				-	1,204,610	1,204,610
ACSRT	2,024,244	95,090		2,119,335	-	2,119,335
AMISOM				-	223,872,824	223,872,824
MNJTF				-	11,939,984	11,939,984
MILOBs and HROs				-	5,481,788	5,481,788
ERM				-	9,000,000	9,000,000
AU Continental Logistics Base				-	355,808	355,808
Medical Training Centre for PSOs				-	1,500,000	1,500,000
TOTAL BUDGET	134,606,355	29,040,900	50,000	163,697,256	491,181,677	654,878,933

77. **ALSO TAKES NOTE** of the budget distributed as follows:

41st Ordinary Session of the Executive Council, 14-15 July 2022, Lusaka, Zambia

Budget Classification	Amount
A. Program Budget	
Main Budget	182,939,264
Special Projects	4,581,035
Pass through Funds	32,092,812
Technical Assistance	19,418,162
B. Operational Budget	163,697,256
C. Peace Support Operations	252,150,404
TOTAL BUDGET	654,878,933

78. **DECIDES** that, in light of the effects of COVID-19, the Russia-Ukraine crisis and the food insecurity on the continent, the 2023 budget continues to be an austerity budget and its provisions are prioritized and rationalized;
79. **RECALLS** Decisions EX.CL/Dec.813(XXV), and EX.CL/Dec.899(XXVIII)Rev.2, and **REITERATES** the need to limit reliance on partner funding in accordance with all relevant decisions of the Policy Organs, in line with Assembly/AU/Dec.578(XXV);
80. **CALLS UPON** the Africa Centres for Disease Control and Prevention (Africa CDC) to apply the rules and regulations of the Union on all of its operations, including on matters of expediting the recruitment of its staff;
81. **DECIDES** to put on hold the implementation of the 0.5% fund for the Africa CDC from the annual operational budget until such a time the statute and structure of the Africa CDC are adopted;
82. **DIRECTS** the Commission to set up a working group comprising of Member States, F15, AUDA-NEPAD and the Commission's Directorate of Finance, Office of Strategic Planning and Delivery (OSPD), Bureau of the Deputy Chairperson and Office of the Legal Counsel, in close collaboration with the Office of the Director General, to address overlaps and duplications among AU Organs, Agencies and Departments of the Union;
83. **CALLS UPON** the Commission, through the Office of the Director General, to hold a retreat involving AU Organs and its Departments prior to organizing the budget retreat of the Joint Sitting of Sub-Committees of GSCBFAM, Programs and Conferences and F15 technical experts, in order to discuss the issues of duplication of programs and activities amongst its departments and other AU Organs;
84. **FURTHER DIRECTS** the Commission, through the OSP in close collaboration with the Office of the Director General, to provide guidance to its departments

and other AU Organs on the strategic areas to be budgeted for as well as planning, monitoring and evaluation in the AMERT system;

85. **REQUESTS** the Commission to speed up the implementation of the forensic audit report recommendations on the recovery of unused tickets as well as double housing allowance as per Decisions EX.CL/Dec.1107(XXXVIII) and EX.CL/Dec.1073(XXXVI);
86. **REMINDS** the Commission and other AU Organs to adhere to the time frames set in the Executive Council decisions for the submission of reports as per the matrix of audit decisions prepared by the Sub-Committee on Audit Matters, and **DIRECTS** that sanctions be imposed for non-adherence;
87. **RECALLS** Decision Assembly/AU/Dec.687(XXX) and Rule 94 of the AU Financial Rules, and **DIRECTS** the Commission to ensure that the F15 Committee of technical experts is fully integrated into the statutory budget process of the Union, including in the budget preparation exercise to be able to compare the expenditure and results achieved, ensure a linkage between revenue and forecasts and affordability, as well as for proposed budgets not to pose any unsustainable risk over the long term;
88. **CALLS UPON** the Commission to suspend entering into any new partnerships until the AU Partnership Strategy and Policy document is finalized and adopted by the Policy Organs;
89. **RECALLS** Decision Assembly/AU/Dec.578(XXV) on the scale of assessment and alternative sources of financing of the Union, and **REITERATES** the need for full ownership of AfCFTA and have at least 50% of its program budget for 2024 be funded by the Member States, African financial institutions and from Africa 's private sector;
90. **FURTHER CALLS UPON** the Commission to ensure that it includes annually the budget for in-person retreat of the joint sitting of the Sub-Committees on GSCBFAM, Programs and Conferences and F15 technical experts to consider the budget of the Union and **FURTHER CALLS UPON** Member States to express interest to host such retreat;
91. **INSTRUCTS** the PRC through its Sub-Committee on General Supervision and Coordination on Budgetary, Financial and Administrative Matters to address the preferential rate payments by September 2022 for all offices of the Union, in particular the Union's representational offices in Geneva and Brussels, and report back to Executive Council in February 2023;
92. **APPROVES** a Crisis Reserve Facility (CRF) level of US\$5,000,000.00 from interest accruing from the investment of the Peace Fund and **FURTHER**

INSTRUCTS the PRC, through its Sub-Committee on GSCBFAM working jointly with the F15 technical experts, to finalize a mechanism for the replenishment of the CRF and report back to Executive Council in February 2023, including the utilization of interest accruing from the investment of the Peace Fund;

93. **RECALLS** Decision EX.CL/Dec.1097(XXXVII) and EX.CL/Dec.1126(XXXIX) which set limits on Member States assessed contributions, and **DECIDES** to retain the US\$250,000,000.00 as the ceiling on Member States assessed contribution for 2024;
94. **REQUESTS** the Commission in collaboration with the Ministerial Committee of the Scale of Assessment and Contributions and the F15 technical experts to finalize the Scale of Assessment for 2024-2026.

B. 2021 BUDGET PERFORMANCE REPORT

95. **EXPRESSES CONCERN** about the continued low budget execution and performance rates by the AU Commission and other AU Organs, and **CALLS UPON** the Commission to establish a performance monitoring and evaluation tool in the Office of the Director-General to take stock of the performance of its departments and other AU Organs as well as staff;
96. **TAKES NOTE** of the link between the understaffing and the low budget execution rates and **DIRECTS** the Commission, through the Directorate of Human Resources Management (HRM), to develop an emergency action plan to fast track the recruitment of essential staff and to provide, in 2022, the Office of the Director General and HRM, with the critical staff needed to function effectively and to be able to fulfill their mandates;
97. **REITERATES** the call to the Commission to execute the sanction regime against management, its departments, other AU Organs and staff members for any violation of the AU Financial Rules;
98. **DECIDES** that not more than two thirds of the maintenance fund be used, and **DIRECTS** the Commission to preserve at least one third of the amount in the Maintenance Fund for contingency purpose, to cater for any emergencies that may arise on asset maintenance and capital expenditure in accordance with Rule 80 of the AU Financial Rules;
99. **REQUESTS** all departments/directorates of the Commission and other AU Organs to submit, in writing, to the Sub-Committee on GSCBAM, on quarterly basis, the status of implementation of recommendations emanating from budget hearings starting from September 2022.

C. DEBTS OUTSTANDING TO THE MEMBER STATES

100. **RECALLS** Decisions EX.CL/Dec.1031(XXXIV) and EX.CL/Dec.1057(XXXV) on the payment of debts to some Member States and **DIRECTS** the Commission to pay all outstanding audited debts to the Member States using the Administrative Costs, and any payment balances from savings of the 2021 and 2022 budget;
101. **RECALLS** Decision EX.CL/Dec.1143(XL) on the obligations to the Republic of Uganda and **DIRECTS** the Commission to effect the full payment of the already identified amount of US\$12,194,333.40 to the Republic of Uganda using the Administrative Costs by August 2022 and to report to the Sub-Committee on Audit Matters.

D. POLITICAL AFFAIRS, PEACE AND SECURITY STAFF PAID UNDER JOINT FACILITY ARRANGEMENT - JFA

102. **RECALLS** Decision EX.CL/Dec.1126(XXXIX) in which the Commission was called upon to institute an audit of the staff of the Department of Political Affairs, Peace and Security (PAPS) that were previously paid from the Joint Facility Arrangement (JFA) funds;
103. **APPROVES** the continuation of payment of salaries for the JFA staff in PAPS until the completion of the Skills Audit and Competency Assessment (SACA) process;
104. **REQUESTS** the Commission to retain PAPS staff in critical **positions** under the JFA, including at Liaison Offices (LOs), and this should be done in keeping with the quota system and pending the lifting of the moratorium on recruitment to warrant new recruitment;
105. **FURTHER REQUESTS** the Commission to develop an exit strategy for JFA staff **members** of the liaison offices who have exhausted their limit for the contract renewal process while they continue to hold critical positions. This exit strategy should be subject to the quota available for each Member State. The strategy should be presented to the Joint Sitting of GSCBFAM and the F15 technical experts latest by September 2022.

E. ACTIVITIES OF THE R10 RECRUITMENT EXPERTS

106. **DECIDES** to extend the mandate of the R10 recruitment experts until the end of September 2022;
107. **DIRECTS** the Commission to utilize US\$121,265.00, which is the unused budget balance from the R10 recruitment experts activity budget for 2022, for the extension of the mandate with no possibility to make a request for extra money;

108. REQUESTS the R10 recruitment experts to prepare and submit the revised roadmap and a Gantt chart on the implementation of the remaining activities, prioritizing the SACA.

IV. SUB-COMMITTEE ON STRUCTURAL REFORMS – Doc. EX.CL/1347(XLI)

109. RECALLS the following decisions that created Technical and Specialized Offices:

- a) Decision EX.CL/Dec.1108(XXXVIII) directing the PRC to re-examine the outcomes of the 5th Ordinary Session of the STC on Gender Equality and Women’s Empowerment specifically on: Implementing the decisions of the African Union Peace and Security Council in its 803rd, 887th and 951st meetings to institutionalise the Office of the Special Envoy on Women, Peace and Security;
- b) Decisions EX.CL/388(XII) and Assembly/AU/Dec.173(X) which calls on the Union to expedite the recruitment of qualified staff and to build the institutional capacity of the Pan-African Institute for Education for Development IPED;
- c) Decision EX.CL/Dec.626(XVIII) endorsing the choice of Douala, Cameroon, for the establishment of the logistical continental base of African Standby Force and requesting the Commission to take appropriate measures for the implementation of this decision;

110. RECOMMENDS to the Assembly the following proposed structures for adoption:

- a) **Office of the Special Envoy on Women, Peace and Security in the Bureau of the AUC Chairperson in Addis Ababa, Ethiopia**

Position	Grade	No. of staff
Special Envoy	D1	1
Senior Policy Adviser	P6	1
Office Coordinator	P5	1
Research, Monitoring and Reporting Senior Officer	P3	1
Advocacy and Communication Officer	P2	1
Administrative and Operations Assistant	GSA3	1
Total		6

The annual estimated staff cost of the Office of the Special Envoy is estimated at **US\$590,000.00**. Recruitment for those positions should be phased and subject to budget availability.

b) IPED in Kinshasa, Democratic Republic of Congo

Position	Grade	No. of staff
Office of Executive Secretary		
Executive Secretary	P6	1
Protocol Officer	P2	1
Bilingual Admin Assistant	GSA5	1
Bilingual Secretary	GSA4	1
Communications Officer	P2	1
Education Management and Information System Unit		
Principal Officer Information Systems (Head of Unit)	P4	1
Senior Policy Officer – IT (Information Technology/Knowledge Management)	P3	1
EMIS Data base manager	P2	2
IT Officer (Web Master)	P1	1
Junior Professional Officer	P1	1
Policy, Action Research, Monitoring and Evaluation Unit		
Principal Education Planning and Capacity Building Officer (head of Unit)	P4	1
Senior Programme Officer	P3	2
Senior Statistics Officers in charge of regions (5 positions)	P3	5
Programme Officer	P2	2
Junior Professional Officer	P1	1
Administration, Finance & Support Unit		
Senior Finance and Administrative Officer	P3	1
Finance Officer	P2	1
HR Officer	P2	1
Driver	GSB7	2
Senior Record Assistant	GSA3	1
Security (Outsourced)		

Cleaning (Outsourced)		
Total		28

The annual estimated staff cost of the IPED is estimated at **US\$2,123,349.16**. Recruitment for those positions should be phased and subject to budget availability.

c) AU Continental Logistics Base (CLB) in Douala, Cameroon

Position	Grade	No. of staff
Head of CLB	P6	1
Program Officer	P2	1
Admin Assistant/Bilingual Sec - HCLB office	GSA5	1
Principal Admin/Finance Officer	P4	1
Senior Admin Officer	P3	1
Senior Communication/IT Officer	P3	1
Communication/IT Assistant	GSA5	2
Mechanics Drivers	GSA4	2
Procurement Officer	P2	1
Procurement Assistant	GSA5	1
Senior Finance/Budget Officer	P3	1
Financial Management/Accounting Officer	P2	1
Asset/Property/Control Officer	P2	1
Assistant Accountant	GSA5	1
Transport Officer	P2	1
Senior Security Officer	P3	1
Security Officer	P2	1
Principal Logistics & Supply Chain Officer	P4	1
Senior Facilities Management	P3	1
Engineering Officer	P2	1
MHE Operator	GSA5	1
Engineering Assistant	GSA5	1
Mechanic/Maintenance Officer	P2	1
Movement/Shipment Officer	P2	1
Senior Logistics & Warehouse Officer	P3	1
Cold Chain Officer	P2	1
Assets Inventory Entry Data Clerk	GSA5	1
Receiving and Inspection Officer	P2	1
Senior Supply Officer	P3	1
Supply Assistant	GSA5	1
Electro Technician	GSA5	1
Movement/Shipment Assistant	GSA5	1
Total		34

The annual estimated staff cost the AU Continental Logistics Base is estimated at **US\$4,717,606.45**. Recruitment for those positions should be phased and subject to budget availability.

- 111. **DECIDES** that the recruitment process should be undertaken in line with the Merit Based Recruitment System (MBRS) and Union-wide quota system;
- 112. **DECIDES** to take stock of progress in the implementation of the above-mentioned structures after each implementation phase.

V. ON THE JOINT SITTING OF THE SUB-COMMITTEE ON STRUCTURAL REFORMS AND THE SUB-COMMITTEE ON GENERAL SUPERVISION AND COORDINATION ON BUDGETARY, FINANCIAL AND ADMINISTRATIVE MATTERS ON THE IMPLEMENTATION OF THE TRANSITION PLAN – Doc. EX.CL/1356(XLI)

- 113. **RECALLS** Decision **EX.CL/Dec.1073(XXXVI)**, paragraph 6, on the eligibility of staff for the skills and competency audit, and requested that such audit shall be performed over the same period for all regular and non-regular staff of the Commission excluding elected officials, political and special Appointees;
- 114. **ALSO RECALLS** Decision **EX.CL/Dec.1097(XXXVII)** that approved Phase 1 of the Transition Plan and financing strategy including Scenario 1 of the separation scenarios;
- 115. **APPROVES** the reduction of the Gap Cap, from nine (9) to six (6) months during the implementation period of the transition plan to support the intensive recruitment drive, notwithstanding within grade quota restrictions;
- 116. **DIRECTS** the Commission to ensure that applicants from underrepresented Member States are prioritised without prejudice to the principle of merit-based recruitment, transparency and fairness;
- 117. **DECIDES** that all successful non-regular staff, pursuant to the SACA process will be placed on the new structure, by end of December 2022, subject to the availability of their country quota and the availability of appropriate positions;
- 118. **ALSO DECIDES** that all staff who cannot be placed or redeployed due to abolished positions, quota restrictions or unsuccessful results after the SACA will be separated by December 2022, in line with the SRR;
- 119. **FURTHER DECIDES** to recognize the long service of staff members and enhance career development as well as upward mobility by allowing staff to be assessed, within the principles provided as follows:

- i. to assess the staff against positions of grades equivalent to their personal to holder grade, subject to availability of similar positions. It will be limited to P4 grade, as any grades higher are to be accessed through the recruitment process;
- ii. based on documented evidences, staff members performing duties at higher grade than their substantive grade can be assessed at the corresponding grade;
- iii. placement of the concerned staff following successful outcome of the SACA process will not incur additional cost.

120. ALLOWS the Commission to mobilize the necessary funds (estimated at US\$3,600,000.00) from the partners to cover payout as a recognition of their contributions to the organization as follows:

- i. additional 50% of severance pay for fixed-term contract holders who cannot be placed after successfully passing SACA;
- ii. special pay for special services appointment (SSA) and short-term contract holders who cannot be placed after successfully passing SACA;
- iii. special pay for GSB staff who do not have the ability to participate in the SACA process;
- iv. special pay shall be equivalent to one month's gross salary of the staff member for each completed year of qualifying service up to a maximum of twelve (12) years;

121. APPROVES the budget of US\$13,400,000.00 to be drawn from the reserve fund, to cover the cost of separation for potentially affected staff;

122. URGES the Commission to prioritize the recruitment of the Commission's Recruitment Team, Office of the Director General, Office of the Legal Counsel and other essential departments and to expedite the process in this regard.

VI. ON THE JOINT MEETING OF THE PRC SUB-COMMITTEE ON AUDIT MATTERS AND THE PRC SUB-COMMITTEE ON GENERAL SUPERVISION AND COORDINATION ON THE ADMINISTRATIVE, BUDGETARY AND FINANCIAL MATTERS (GSCABFM) ON THE AUDITED 2021 FINANCIAL STATEMENTS – Doc. EX.CL/1357(XLI)

123. TAKES NOTE of the report of the Joint Sitting of PRC Sub-Committee on Audit Matters and Sub-Committee on General Supervision and Coordination on Administrative, Budgetary and Financial Matters, and Experts of the Committee of Fifteen Ministers of Finance (F15);

124. DIRECTS the PRC, through its relevant Sub-Committees, to further consider the audited 2021 financial statements carried out by the Board of External Auditors

during the second half of the year 2022, and to present its findings to the next session of the Executive Council;

125. **REQUESTS** the Commission in the interim to publish the 2021 audited and signed financial statements of AU Organs including consolidated statements on the AU website in compliance with IPSAS requirements;
126. **DIRECTS** the Chairperson of the Commission to take necessary action to ensure that the observations and recommendations made by the Board of External Auditors are implemented, and, report to the next session of the Executive Council through the PRC and its relevant Sub-Committees on the progress made to this effect.

VII. ON THE SUB-COMMITTEE ON HUMAN RIGHTS, DEMOCRACY AND GOVERNANCE ON THE DRAFT AU STRATEGIC ACTION PLAN FOR THE PROMOTION AND PROTECTION OF HUMAN AND PEOPLES' RIGHT IN AFRICA (2022-2031)

127. **RECALLS** Declaration Assembly/AU/Decl.1(XXVII)Rev.1 on the theme of year 2016, which declares the next ten years as “the Human and Peoples’ Rights Decade in Africa” and its Action Plan;
128. **COMMENDS** the PRC Sub-Committee on Human Rights, Democracy and Governance and the Commission for the progress made towards the finalization of the AU Strategic Action Plan for the Promotion and Protection of Human and Peoples’ Rights in Africa;
129. **TAKES** note of the Draft Strategic Action Plan and **REQUESTS** the Commission to finalize and submit it to the Executive Council in February 2023 for consideration and adoption;
130. **ALSO REQUESTS** the Commission and the Sub-Committee to finalize and submit the AU guidelines on elections during Covid-19 and other public health emergencies and the African Charter on Democracy, Elections and Governance (ACDEG) School Curriculum Strategy in line with Decision EX.CL/Dec.1143(XL), paragraph 75, to the Executive Council in February 2023 for consideration and adoption.

DECISION ON THE REPORTS OF THE SPECIALIZED TECHNICAL COMMITTEES (STCs)

The Executive Council,

1. **TAKES NOTE** of the reports of the Specialized Technical Committees (STCs);
2. **RECALLS** Decision EX.CL/Dec.1032(XXXIV) regarding the moratorium on the creation of new bodies and offices;
3. **STRESSES** that the present decision should not bear any financial, legal and structural implications to the Union and **FURTHER CALLS UPON** the STCs and all technical ministerial councils and meetings to refrain from adopting any structures or budgets that were not considered by the policy Organs through due process;
4. **REQUESTS** that all STCs adopt their reports at the end of their meeting.
 - I. **ON THE 6TH ORDINARY SESSION OF THE SPECIALIZED TECHNICAL COMMITTEE ON GENDER EQUALITY AND WOMEN'S EMPOWERMENT, 1 MARCH 2022 Doc. EX.CL/1349(XLI)**
5. **TAKES NOTE** of the report of the 6th Ordinary Session of the Specialized Technical Committee on Gender Equality and Women's Empowerment held on 01 March 2022;
6. **REQUESTS** the Commission to ensure that the establishment of the Trust Fund for African Women follows the due processes of the Union.
 - II. **ON THE 4TH ORDINARY SESSION OF THE SPECIALIZED TECHNICAL COMMITTEE ON SOCIAL DEVELOPMENT, LABOUR AND EMPLOYMENT (STC-SDLE4), 7-8 APRIL 2022 – Doc. EX.CL/1350(XLI)**

The Executive Council,

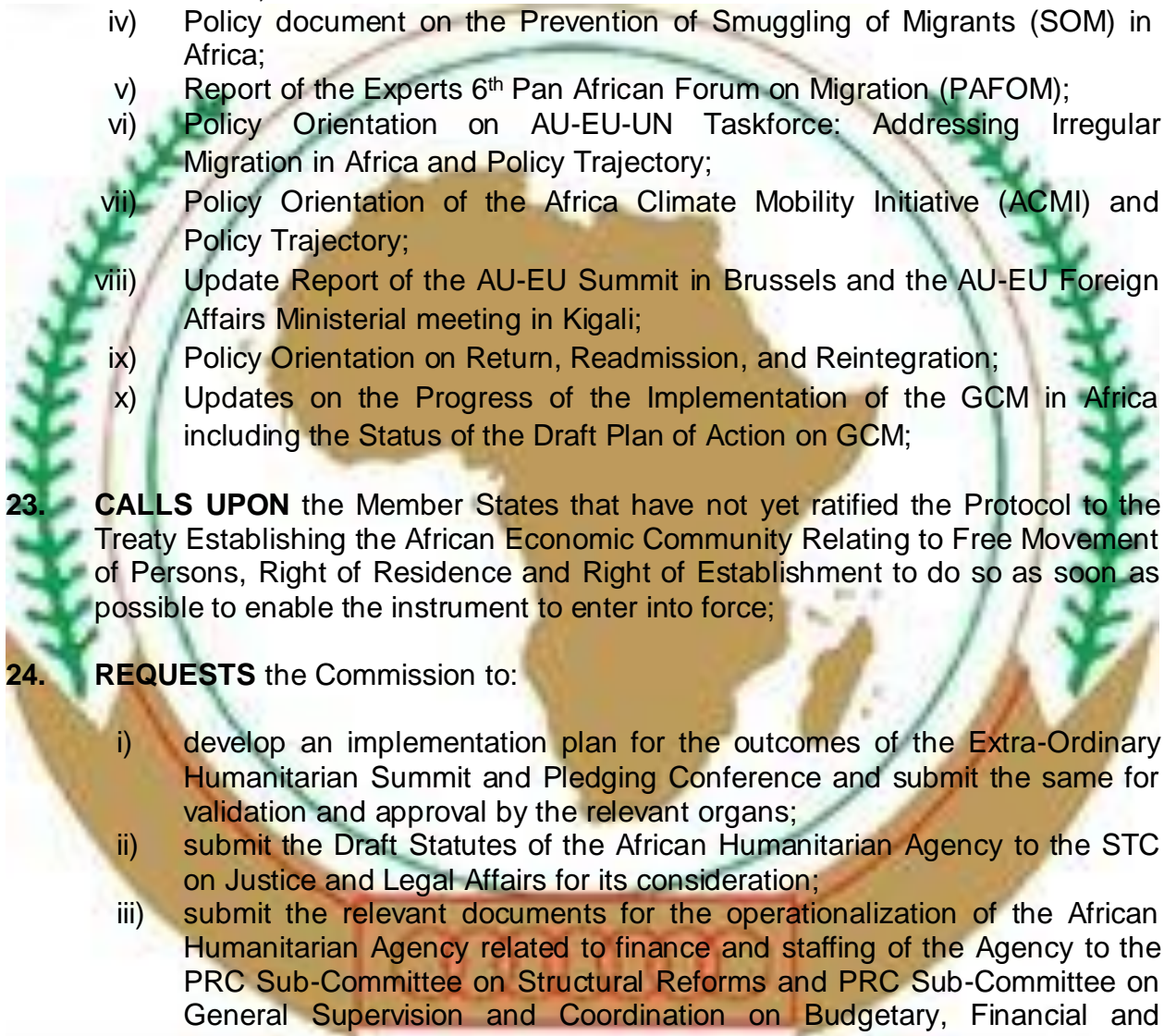
7. **TAKES NOTE** of the report of the 4th Ordinary Session of the Specialized Technical Committee on Social Development, Labour and Employment of the African Union (STC-SDLE4), held virtually from 4 to 8 April 2022, and recommendations contained therein;
8. **NOTES** that the following do not have any financial, legal and structural implications:
 - i) Revised Draft Strategic Policy Framework and Plan of Action on ageing;
 - ii) Five-year Strategy of the AU Saleema Initiative on the Elimination of Female Genital Mutilation;

- iii) Draft Terms of Reference of the African Social Security and Cooperation Forum (ASSCCF);
 - iv) Draft Declaration on the Protection and Promotion of the Rights of Migrant Workers;
 - v) Draft Guidelines on Establishing Integrated Labour Market Information Systems;
 - vi) Draft Guidelines on Bilateral Labour Agreements (BLAs);
9. **RECOMMENDS** that the following be submitted to the relevant STCs for consideration:
- Draft AU Accountability Framework to End Harmful Practices;
 - Draft Guidelines on the Development of a Model Migrant Welfare Programme/System;
 - AU Strategy and Plan of Action on Ending Online Child Sexual Exploitation and Abuse (OCSEA);
 - Five years Strategy of the AU Campaign to End Child Marriage in Africa;
 - Declaration on the Protection and Promotion of the Rights of Migrant workers;
10. **CALLS UPON** Member States that have not signed, acceded to and ratified the Protocol to the African Charter on Human and Peoples' Rights on the Rights of on Older Persons in Africa, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa and Social Protection and Social Security to do so;
11. **COMMITTS** to take appropriate measures for the implementation of the African Union Comprehensive Socio-economic and Environmental Response to the COVID-19 Health Pandemic;
12. **ENCOURAGES** Member States to step up national measures to domesticate, implement and report on polices on ageing, disabilities, ending child marriage, FGM, online sexual exploitation of children, Harmful Practices Accountability Framework and Social Agenda 2063;
13. **CALLS UPON** Member States to accelerate the domestication and reporting on the African Union Plan of Action and Implementation Strategy on Ending Attacks and Other Human Rights Violations Targeting Persons with Albinism in Africa;
14. **RECOGNIZES** the pressing need to strengthen national labour migration governance guided by the AU instruments, including Bilateral Labour Agreements, Model Migrant Welfare Programme, Integrated Labour Market Information Systems, and Declaration on the Protection and Promotion of the Rights of Migrant Workers;
15. **REQUESTS** the Commission to:

- i. set-up the African Social Security and Cooperation Forum (ASSCCF) as an important platform for post-Covid-19 response and recovery strategy;
- ii. commence the process to galvanize support for the implementation the AU labour migration governance instruments adopted by STC-SDLE4 held on 04-08 April 2022.

III. ON THE 4TH ORDINARY SESSION OF THE SPECIALIZED TECHNICAL COMMITTEE ON MIGRATION, REFUGEES AND INTERNALLY DISPLACED PERSONS, 23-24 MAY 2022 – Doc. EX.CL/1351(XLI)

16. **TAKES NOTE** of the report of the 4th Ordinary Session of the Specialized Technical Committee on Migration, Refugees and Internally Displaced Persons (STC-MRI) held in Malabo, Equatorial Guinea, on 23-24 May 2022, and the recommendations contained therein;
17. **CONGRATULATES** the government of Equatorial Guinea and the Commission for hosting and organizing a successful Humanitarian Summit and Pledging Conference;
18. **APPRECIATES** the Assembly Declaration of the Humanitarian Summit and Pledging Conference Ext/Assembly/AU/Decl.(XV), and **CALLS UPON** Member States, the Commission and relevant partners to engage in its implementation;
19. **FURTHER APPRECIATES** the commitments and financial pledges made by Member States and partners towards humanitarian needs in Africa and **CALLS UPON** Member States and partners who have not yet pledged to consider doing so;
20. **MANDATES** the Commission, in its role as the promoter of the Africa Climate Mobility Initiative (ACMI), to coordinate the continental agenda on migration and climate change, as well as spearhead programs and activities to support Member States and the RECs on climate change, forced displacements and migration;
21. **ADOPTS** the recommendations of the following background papers related to the Humanitarian Summit and Pledging Conference:
 - i. Climate Change, Disasters, and Forced Displacement in Africa;
 - ii. Food Security and Nutrition situation in Humanitarian Situations in Africa;
 - iii. Covid-19 and Health Challenges in Humanitarian space in Africa;
 - iv. Post Conflict Reconstruction Development for Refugees and Internally Displaced Persons in Africa;
 - v. Resource Mobilization and Financing for Humanitarian Action in Africa;
22. **TAKES NOTE** of the following documents and their recommendations without any financial, legal and structural implications:

- 
- i) Progress Report on the Protocol to the Treaty Establishing the African Economic Community Relating to Free Movement of Persons, Right of Residence, and Right of Establishment;
 - ii) Progress Report on the establishment of African Migration Centres in Bamako, Khartoum, and Rabat;
 - iii) Policy document on the Prevention of Trafficking in Persons (TIP) in Africa;
 - iv) Policy document on the Prevention of Smuggling of Migrants (SOM) in Africa;
 - v) Report of the Experts 6th Pan African Forum on Migration (PAFOM);
 - vi) Policy Orientation on AU-EU-UN Taskforce: Addressing Irregular Migration in Africa and Policy Trajectory;
 - vii) Policy Orientation of the Africa Climate Mobility Initiative (ACMI) and Policy Trajectory;
 - viii) Update Report of the AU-EU Summit in Brussels and the AU-EU Foreign Affairs Ministerial meeting in Kigali;
 - ix) Policy Orientation on Return, Readmission, and Reintegration;
 - x) Updates on the Progress of the Implementation of the GCM in Africa including the Status of the Draft Plan of Action on GCM;

23. CALLS UPON the Member States that have not yet ratified the Protocol to the Treaty Establishing the African Economic Community Relating to Free Movement of Persons, Right of Residence and Right of Establishment to do so as soon as possible to enable the instrument to enter into force;

24. REQUESTS the Commission to:

- i) develop an implementation plan for the outcomes of the Extra-Ordinary Humanitarian Summit and Pledging Conference and submit the same for validation and approval by the relevant organs;
- ii) submit the Draft Statutes of the African Humanitarian Agency to the STC on Justice and Legal Affairs for its consideration;
- iii) submit the relevant documents for the operationalization of the African Humanitarian Agency related to finance and staffing of the Agency to the PRC Sub-Committee on Structural Reforms and PRC Sub-Committee on General Supervision and Coordination on Budgetary, Financial and Administrative Matters for their consideration;
- iv) establish a Special Fund into which the humanitarian pledges will be deposited;
- v) submit the structure and operationalization process of the Special Fund for adoption by the Policy Organs via the PRC and its relevant Sub-Committees and within the regulation of the AU Financial Rules and the SRR;

- vi) design a popularization strategy that will help promote the Free Movement Programme at the national, regional, and continental levels for increased signatures and ratifications;
- vii) fast-track the operationalization of the African Centre for the Study and Research on Migration in Mali, the African Migration Observatory in Morocco, and the Continental Operational Centre in Sudan;
- viii) coordinate the continental agenda on migration and climate change, as well as spearhead programs and activities to support the Member States and the RECs on climate change, forced displacements, and migration;
- ix) develop a 5-year plan of action for the approved Draft Policy on the Prevention of Trafficking in Persons (TIP) in Africa and submit the same for the Member States' validation and approval;
- x) develop a 5-year plan of action to the approved Policy on the Prevention of Smuggling of Migrants in Africa and submit the same for Member States validation and approval;
- xi) fast-track the establishment of relevant working groups of the forum to implement PAFOM reports, including their respective plans of actions;
- xii) expedite the process of revising the Draft Plan of Action on the implementation of the GCM in Africa that takes inputs from the outcome of the International Review Forum on Migration (IMRF) and submit the same to the next STC for validation and endorsement;
- xiii) expedite the process of revitalizing and enhancing the work of the task force in line with Declaration of the 6th AU-EU Summit of February 2022;
- xiv) develop draft Continental Guidelines on Return, Readmission and Reintegration (RRR) and submit the same for Member States' validation and approval.

IV. ON THE 4TH ORDINARY SESSION OF THE SPECIALIZED TECHNICAL COMMITTEE ON HEALTH, POPULATION AND DRUG CONTROL – Doc. EX.CL/1352(XLI)

25. COMMENDS:

- i) the Ministers responsible for Health, Population and Drug Control for the successful holding of the 4th Ordinary Session of their Specialized Technical Committee on Health, Population and Drug Control (STC-HPDC) and notable achievements in the areas of health, nutrition, population and drug control;
- ii) the Government and people of the Arab Republic of Egypt for the hosting the Ministerial session of the Fourth Ordinary Session of the (STC-HPDC) on 04-05 June 2022.

26. TAKES NOTE of the review of the draft amended Statute of the Africa Centres for Disease Control and Prevention and their onward transmission to the STC on Justice and Legal Affairs.

27. FURTHER TAKES NOTE OF:

- a. of the recommendation to change the name of the STC-HPDC to 'STC on Health, Nutrition, Population and Drug Control' and **REQUESTS** the Commission to submit the recommendation to the Assembly in February 2023;
- b. the report and the recommendations of the 4th Ordinary Session of the STC-HPDC;
 - i) The Campaign Plus on Accelerated Reduction of Maternal Mortality in Africa from 2022 to 2030;
 - ii) Extension of the Decade of Traditional Medicine from 2022 to 2030;
 - iii) The First Continental Nutrition Report and its recommendations;
 - iv) The Common Africa Position on Population and Development;
 - v) Cairo Declaration on addressing Drug Use and Substance Use Disorders among Youth, Children and Women for consideration by Ministers;

28. ADOPTS the following reports and documents without financial, legal and structural implications:

- a. The report and recommendations of the Fourth Ordinary Session of STC-HPDC; and
- b. the following policy documents:

On Health

- i. Campaign on Accelerated Reduction of Maternal Mortality in Africa (CARMMA) Plus Proposal and its Accountability Framework and Action Plan;
- ii. Revised Maternal, New-born and Child Health (MNCH) Taskforce Terms of Reference;
- iii. Mama Afrika Award Concept Note;
- iv. End of decade review report of the Traditional Medicines (TM) (2010 - 2020);
- v. AU Continental Hepatitis Technical Working Group (TWG) Roadmap;
- vi. Continental Framework on the Control and Elimination of Neglected Tropical Diseases in Africa by the Year 2030;
- vii. Common African Position on Neglected Tropical Diseases;
- viii. The Africa Leadership Meeting on Investing in Health (ALM) Declaration Progress Report;

- ix. Biosafety and Biosecurity Legal Framework;
- x. Legal Framework and Standards for Infection Prevention and Control in Healthcare Facilities;

On Nutrition

- xi. African Union Continental Nutrition Report;
- xii. Cost of Hunger in Africa (COHA) Study Continental Report;
- xiii. Mid- Term Review Report of the Africa Regional Nutrition Strategy;
- xiv. African Task Force on Food and Nutrition Development (ATFFND) Terms of Reference (ToR);

On Population

- xv. Common Africa Position (CAP) on Population and Development;

On Drug Control and Crime Prevention

- xvi. Biennial Implementation Report of the AU Plan of Action on Drug Control (2019-2023);
- xvii. Report of the Pan African Epidemiology Network on Drug Use (2019-2020);
- xviii. Report of Recommendations from Continental Consultations on Drug Demand Reduction;
- xix. African Civil Society Common Position on Drugs;
- xx. Cairo Declaration on addressing Drug Use and Substance Use Disorders among Youth, Children and Women for consideration by Ministers;
- xxi. Technical Brief on the Role of Traditional Health Practitioners in drug dependency prevention, treatment and care;
- xxii. Technical Brief on implementing Alternatives to Imprisonment/Incarceration;
- xxiii. Technical Brief on accelerating access and availability of controlled substances for medical and scientific purposes;
- xxiv. African Union Technical Paper on Cannabis.

V. ON THE 2ND EXTRAORDINARY SESSION OF THE SPECIALIZED TECHNICAL COMMITTEE ON TRANSPORT, TRANSCONTINENTAL AND INTERREGIONAL INFRASTRUCTURE, AND ENERGY (STC-TTIE), 14-16 JUNE 2022 – Doc. EX.CL/1353(XLI)

29. TAKES NOTE of the report of the 2nd Extraordinary Session of the Specialized Technical Committee on Transport, Transcontinental and Interregional Infrastructure, and Energy (STC-TTIE) held by videoconferencing on 14-16 June 2022 and the related declaration;

30. COMMENDS the Ministers responsible for Transport and Energy for the successful holding of the said 2nd Extraordinary Session and achieving notable

41st Ordinary Session of the Executive Council, 14-15 July 2022, Lusaka, Zambia

outcomes for the development of the transport, transcontinental and interregional infrastructure, and energy in Africa.

A. African Common Position on Energy Access and Transition:

31. **ENDORSES** the proposed African common position on energy access and transition and request the Commission to work together with Member States to consolidate all the different African proposals on energy access and just energy transition in Africa;
32. **REQUESTS** the Commission to coordinate the submission of the consolidated African Position Paper to the African Group of Negotiators (AGN) for onward transmission to the African Ministerial Conference on the Environment (AMCEN) and the Committee of African Heads of State and Government on Climate Change (CAHOSCC) for endorsement;
33. **ALSO REQUESTS** the Commission, in collaboration with AFREC, AfDB and UNECA, to work with the Member States to develop national energy transition masterplans and resource mobilization strategies for Member States and RECs, and strategies to accelerate implementation;
34. **FURTHER REQUESTS** the Commission, AUDA-NEPAD, AfDB, and UNECA to develop and implement a continental framework and programme on technology transfer that will enable the Member States to access, manufacture, adopt, and adapt energy access and transition technologies to their local and national needs;
35. **REQUESTS** Member States to accelerate efforts towards facilitating energy access and transition through the allocation and mobilization of domestic financing, developing carbon markets, the creation of a conducive environment for private sector participation and increased commitment to regional integration of energy markets;
36. **ALSO REQUESTS** Member States to define decarbonization targets through the Nationally Determined Contributions (NDCs) and accelerate efforts towards decarbonizing and improving energy efficiency in key sectors including transport, electricity, and industrial sectors; subject to receiving the financing pledged at COP26;
37. **FURTHER REQUESTS** the Commission and its continental and regional partners to accelerate the implementation of key initiatives including the Continental Power Systems Masterplan (CMP), Programme for Infrastructure Development in Africa (PIDA-PAP2), the Africa Renewable Energy Initiative (AREI), the African Single Electricity Market (AfSEM) and the African Energy Transition Programme (AETP);

38. **REQUESTS** the Commission in collaboration with continental and regional institutions to develop a continental programme on green hydrogen to create sustainable and cost-effective domestic and international markets and develop appropriate financing, policy and regulatory frameworks and partnerships with other world regions to develop the technologies;
39. **ALSO REQUESTS** the African Commission on Nuclear Energy (AFCONE) and African Regional Cooperative Agreement for Research, Development and Training related to Nuclear Science and Technology (AFRA) to accelerate the implementation of appropriate frameworks to utilize nuclear energy and continue to foster cooperation at the regional, continental and global levels to mobilize financing, acquire technologies, enhance skills and expertise, and address the associated risks;
40. **UNDERScores** and **Commends** the initiative for energy access and just transition in Africa proposed by the Arab Republic of Egypt, **SUPPORTS** the preparation for COP27 and **CALLS ON** the Arab Republic of Egypt to champion the African common position going forward;
41. **CALLS ON** partners, stakeholders and potential public and private investors to support Africa's common position for energy access and just transition and to help develop technical and financial instruments and packages to fast-track African's right to universal access to affordable and reliable electricity and clean cooking as well as clean fuel and transport.

B. Impacts of the Russia-Ukraine Crisis on the Infrastructure and Energy Sectors in Africa:

42. **REQUESTS** the Commission, in collaboration with specialized Pan-African institutions and all relevant stakeholders, to continue monitoring the evolving situation of the Russia-Ukraine crisis and its impact on infrastructure and energy sectors and advise Member States on appropriate mitigation measures and intensify the development of data systems on energy consumption and behaviour in the Continent;
43. **ALSO REQUESTS** the Commission in collaboration with specialized Pan-African institutions, to coordinate the implementation of the following recommendations to mitigate the impacts of the Russia-Ukraine crisis and to increase and improve Africa's resilience in the face of future shocks/crises:
- i) develop an African Energy Security and Financing Plan that promotes intra-African trade and increased African oil production; refining African crude oil in African refineries and pan-African storage and distribution infrastructure (ports, terminals, maritime transport, rail, etc.);
 - ii) accelerate development of regional gas and electricity projects and infrastructure in Africa to support Africa's energy transition, industrialization,

- clean cooking, agriculture, petrochemicals and open opportunities to the export of natural gas to other markets;
- iii) integrate electrification of railways and other sustainable transportation systems into current development plans to reduce the impact of fluctuations in oil and gas prices on transport costs;
 - iv) create interconnected multi-modal logistics zones across the continent to facilitate the movement of goods, reduce transport and distribution costs and reduce storage costs in the continent especially for the African Island States;
 - v) develop intra-African shipping lines and/or dedicated regional tanker pools;
 - vi) request the Commission, African Civil Aviation Commission (AFCAC) and the African Airlines Association (AFRAA) to undertake a detailed analysis on impacts related to airlines including on interconnectivity and safety, and develop a strategy for the collaboration of African airlines;
 - vii) Accelerate implementation of key projects under PIDA PAP2 and African Single Electricity Market (AfSEM) to strengthen intra-Africa interconnectivity and tap into the opportunities for energy trade that the Russia-Ukraine Crisis provides for Africa;
 - viii) Ensure that partnership agreements and contracts dedicate important clauses and finance for the transfer of technology, technical assistance and training of Africans as well as local, regional and continental level.

C. Transport Sector:

- 44. **APPROVES** the Single African Air Transport Market (SAATM Dispute Settlement Mechanism and request AFCAC in collaboration with the Commission and other key partners to establish the SAATM Dispute Settlement Mechanism Administrative Council and Secretariat hosted by AFCAC and reporting to the YD Monitoring Body;
- 45. **ALSO APPROVES** the policy guidelines for the negotiation of the Air Services Agreement between the Member States of the African Union and Non-African States and Regions;
- 46. **REQUESTS** AFCAC to establish an Air Transport Legal Experts Committee to assist in the follow-up on the use of the guidelines and their review;
- 47. **APPROVES** the revised African Civil Aviation Policy and request AFCAC to coordinate its implementation in collaboration with relevant air transport institutions and partners;
- 48. **FURTHER APPROVES** the recommendations of the study on the institutional framework and options for sustainable financing of the African Road Safety Observatory (ARSO);

49. **REQUESTS** the Commission to coordinate the implementation of the study recommendations towards the creation of the ARSO in accordance with Decision EX.CL/Dec.1144(XL), paragraph 17;
50. **REITERATES** its calls to the Member States that have not done so, to accede, ratify and deposit the instrument of ratification of the African Road Safety Charter;
51. **REQUESTS** the Commission in collaboration with UNECA to develop an advocacy strategy to urge more Member States to ratify the African Road Safety Charter;
52. **APPROVES** the Maritime Transport Action Plan 2022-2023;
53. **REQUESTS** AFCAC to communicate the proposed African candidates from Egypt, Equatorial Guinea, Ethiopia, Ghana, Mauritania, Nigeria, South Africa and Zimbabwe to the air transport institutions and other partners for necessary support ahead of the ICAO General Assembly in September 2022.

VI. ON THE 7TH ORDINARY SESSION OF THE SPECIALIZED TECHNICAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS, 15 JUNE 2022 – Doc. EX.CL/1354(XLI)

54. **TAKES NOTE** of the report and recommendations of the 7th Ordinary Session of the Specialized Technical Committee on Justice and Legal Affairs (STC-JLA) held virtually from 26 to 29 November 2021 (Meeting of Government Legal Experts) and on 15 June 2022 in hybrid format (in Addis Ababa and via videoconference for the Ministerial Meeting);
55. **ALSO TAKES NOTE** of the Draft Statute of the African Inclusive Markets Excellence Centre (AIMEC) and **DECIDES** to recommend the same to the Assembly for consideration and adoption;
56. **APPROVES** the Draft Rules of Procedure of the General Assembly of the African Union Mechanism for Police Cooperation (AFRIPOL);
57. **FURTHER APPROVES** in principle a supplementary budget for conducting a physical meeting of the STC-JLA and **DIRECTS** the PRC, assisted by its relevant Sub-Committee, to consider and adopt the required budget.

VII. ON THE 6TH EXTRAORDINARY SESSION OF THE SPECIALIZED TECHNICAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS, 30 JUNE 2022 – Doc. EX.CL/1355(XLI)

58. **TAKES NOTE** of the report and recommendations of the 6th Extraordinary Session of the STC-JLA held from 28 to 29 June 2022 (Meeting of Government

Legal Experts) and on 4 July 2022 (Ministerial Meeting) in hybrid format (in Addis Ababa and via videoconference) to consider the draft amendments to the Statute of Africa Centres for Disease Control and Prevention (Africa CDC);

59. **RECALLS** Decisions EX.CL/Dec.1106(XXXVII), EX.CL/Dec.1110(XXXVIII) and EX.CL/Dec.1146(XL) on the operationalization of Africa CDC;
60. **FURTHER RECALLS** Decision Assembly/AU/Dec.835(XXXV), whereby the Assembly delegated its authority to the Executive Council to consider during its 41st Ordinary Session the endorsement of the amendments to the Statute of Africa CDC in line with its financial, structural and legal implications taking into account the following recommendations:
- (i) that the Africa CDC shall be an autonomous body of the Union which is charged with the responsibility of prevention and control of diseases in Africa;
 - (ii) a new governance structure that allows for strategic leadership and ownership by Member States at the highest level of Heads of State and Government, or their duly nominated/delegated representatives;
 - (iii) the Africa CDC Secretariat to be headed by a Director General at a proper grade; and
 - (iv) to put in place modalities for full implementation of the Statute of Africa CDC;
61. **APPROVES** the draft amendments to the Statute of Africa CDC;
62. **ADOPTS** the Draft Revised Statute of the Africa Centres for Disease Control and Prevention (Africa CDC);
63. **DIRECTS** the Commission to accelerate the recruitment of the Director General for Africa CDC at SP3 grade.

**DECISION ON THE REPORT OF THE COMMISSION ON PROGRESS IN THE
OPERATIONALIZATION OF THE AFRICA CENTRES FOR DISEASE CONTROL
AND PREVENTION (AFRICA CDC) – Doc.EX.CL/1359(XLI)**

The Executive Council,

1. **TAKES NOTE** of the Commission's report on Phase I and Phase II operationalization of the Africa Centres for Disease Control and Prevention (Africa CDC) and its recommendations;
2. **RECALLS** Decisions EX.CL/Dec.1106(XXXVII) and EX.CL/Dec.1110(XXXVIII) which requested and instructed the Commission to "*prepare a report, including a road map and Framework of Operations, outlining the financial, legal and structural implications to fully operationalize the Africa CDC in line with its Statute, for submission to the Council through the AU Policy Organs*";
3. **ALSO RECALLS** Decision EX.CL/Dec.1146(XL), which directed the Commission to "*put in place all necessary measures to expedite the full operationalization of Africa CDC, in line with the relevant decisions of the Policy Organs, including the completion of the implementation of the Phase I Taskforce recommendations provided there are no legal, structural and financial implications and report to the 41st Ordinary Session of the Executive Council in June/July 2022*";
4. **FURTHER RECALLS** Decision Assembly/AU/Dec.835(XXXV), through which the Assembly decided to "*delegate its authority to the Executive Council to consider, during its July 2022 Session, the endorsement of amendments to the Africa CDC Statute in line with the following directives: a) The Africa CDC shall be an autonomous body of the Union charged with the responsibility of prevention and control of diseases in Africa; b) A new governance structure that allows for strategic leadership and ownership by the Member States at the highest level of Heads of State and Government; c) The Africa CDC Secretariat to be headed by a Director General at a proper grade; and d) The Commission to put in place modalities for full implementation of the updated Africa CDC Statute*";
5. **NOTES WITH CONCERN** the slow progress on implementation of the Phase I operationalization of Africa CDC;
6. **REAFFIRMS** its resolve to strengthen Africa CDC, at both the Secretariat and Regional Coordinating Centre levels, for effective preparedness and response to disease threats and public health emergencies;
7. **DIRECTS** the Commission to expedite the full implementation of the recommendations of the Phase I operationalization of Africa CDC;
8. **REQUESTS** the Commission to submit the revised Africa CDC organizational structure and a detailed report on the operations of the Africa Epidemics Fund,

including financial, legal and structural implications, to the Executive Council in February 2023;

9. **DIRECTS** the Commission to submit the framework of operations through the relevant process for consideration by the Executive Council in February 2023;
10. **DECIDES** to remain seized of the matter.



**DECISION ON MONITORING, EVALUATION AND REPORTING ON THE
IMPLEMENTATION OF DECISIONS OF THE AU POLICY ORGANS –
Doc. EX.CL/1360(XLI)**

The Executive Council,

1. **RECALLS** Decision EX.CL/Dec.1127(XXXIX) requesting the Commission, in close collaboration with the PRC, to establish a Joint Task Force comprising of Members States at expert level and the Commission to take stock of all decisions taken in the last decade, devise innovative ways of improving on the follow-up of implementation of Policy Organs' decisions;
2. **ALSO RECALLS** Decision EX.CL/Dec.1150(XL), that requested the Commission to organize a joint PRC-Commission retreat preceded by preparatory meetings for the Joint Task Force at experts' level and to report to the Executive Council in July 2022;
3. **COMMENDS** the Commission and Member States on the establishment of the Joint Task Force on Monitoring, Evaluation and Reporting on the Implementation of Decisions of the AU Policy Organs;
4. **TAKES NOTE** of the report of the first meeting of the Joint Task Force on Monitoring, Evaluation and Reporting on the Implementation of Decisions of the AU Policy Organs that was held from 25 to 27 April 2022 in Addis Ababa and the recommendations therein contained, presented on interim basis as work in progress towards the full implementation of Decision EX.CL/Dec.1150(XL);
5. **FURTHER TAKES NOTE** of the update presented by the Commission reviewing progress in developing a methodology for the monitoring, evaluation and reporting on the implementation of decisions of the Policy Organs, including the electronic tools already developed in this regard;
6. **COGNIZANT** of the challenges faced in convening the joint PRC-Commission retreat in the first half of 2022;
7. **REQUESTS** the Joint Task Force to continue its work, at an accelerated pace, according to an open-ended representation of Member State experts, with a view to further developing the proposed recommendations and methodology contained in its aforementioned report;
8. **ALSO REQUESTS** the Commission to take all necessary measures to convene the said retreat in the second half of 2022 to review the outcome of the work of the Joint Task Force and to report to the Executive Council in February 2023;
9. **FURTHER REQUESTS** the Commission, assisted by the Joint Task Force, to put in place all necessary measures to enhance the coordination between its

departments, other AU Organs and Member States on the monitoring and evaluation process of decisions through harmonized, effective and joint reporting, including the ongoing efforts of the PRC Sub-Committee on Rules, Standards and Credentials for the study on the categorization of Union decisions;

10. **DIRECTS** the PRC, through the relevant Sub-Committees, to consider the financial implications of the full implementation of Decision EX.CL/Dec.1150(XL), including the convening of the joint PRC-Commission retreat in the second half of 2022 and for facilitating the work of the Joint Task Force.



DECISION ON THE REPORT OF THE COMMISSION ON IMPLEMENTATION OF EXECUTIVE DECISION EX.CL/DEC.1143(XL) OF FEBRUARY 2022 ON ECOSOCC – Doc. EX.CL/1361(XLI)

The Executive Council,

1. **TAKES NOTE** the progress report of the Commission on the implementation of Decision EX.CL/Dec.1143(XL) regarding the Investigation Report on ECOSOCC Members;
2. **REITERATES** its concern regarding the recurring governance and operational challenges continue to hamper the smooth function of the Organ and realization of its mandate to engage the grass-roots and to facilitate their constant interaction with the Union and its Organs to ultimately achieve a truly people-centered Union;
3. **RECALLS** its Decision EX.CL/Dec.869(XXVI) to establish ECOSOCC National Chapters as a framework for accountability of ECOSOCC members, as well as, a conduit for disseminating information and mobilizing support for AU programmes and activities including Agenda 2063;
4. **DIRECTS** the ECOSOCC Secretariat to finalize the Framework on the Establishment of National Chapters in Member States and submit for its consideration through the established channel in February 2023;
5. **REQUESTS** the Commission, in collaboration with the ECOSOCC Secretariat, to ensure full implementation of its Decision EX.CL/Dec.1143(XL) and **ALSO REQUESTS** the Commission to report to the next ordinary session of the Executive Council with concrete proposals in terms of addressing governance and operational issues of the Organ as well as mechanism for ensuring accountability against ECOSOCC members and their accredited representatives for violation of AU rules and norms.

**DECISION ON THE IMPLEMENTATION OF ASSEMBLY DECISION
ASSEMBLY/AU/DEC.823(XXXV) RELATING TO THE MEMBERSHIP OF THE AU
PEACE AND SECURITY COUNCIL
DOC. EX.CL/1362(XLI)**

The Executive Council,

1. **TAKES NOTE** of the comprehensive report and **COMMENDS** the Commission for conducting transparent and inclusive consultations;
2. **RECALLS** Decision Assembly/AU/Dec.823(XXXV), in particular paragraph 4: *“TAKES NOTE of the concern of the Member States from the North African region regarding regional representation in the membership of the Peace and Security Council, and DIRECTS the Commission, in full consultation with AU Member States, to present a comprehensive report to the upcoming Executive Council, with concrete consensual proposals to amend Article 5(1) of the Protocol Relating to the Establishment of the Peace and Security Council”*;
3. **OBSERVES** the lack of consensus on the amendment of Article 5(1) of the Protocol Relating to the Establishment of the Peace and Security Council in accordance with paragraph 4 of Decision Assembly/AU/Dec.823(XXXV);
4. **TAKES NOTE** of the desire of some delegations to continue consultations and **DIRECTS** the Commission to facilitate the said consultations and to submit a final report to the 42nd Ordinary Session of the Executive Council in February 2023;
5. **RECOMMENDS** to the Assembly to determine the way forward.

**DECISION ON THE REPORT ON IMPLEMENTATION OF EXECUTIVE COUNCIL
DECISION EX.CL/DEC.1148(XL) OF FEBRUARY 2022 ON PAN AFRICAN
PARLIAMENT BUREAU ELECTIONS
Doc. EX.CL/1364(XLI)**

The Executive Council,

1. **TAKES NOTE WITH APPRECIATION** of the report on the implementation of Decision EX.CL/Dec.1128(XXXIX) on the incidents at the Pan African Parliament (PAP);
2. **COMMENDS** the leadership and personal involvement of H.E. Macky SALL, President of the Republic of Senegal and Chairperson of the Union, in resolving the crisis in the PAP which has resulted in the successful organization of the elections on 29 June 2022;
3. **APPRECIATES** the leadership of H.E. Cyril Ramaphosa, President of the Republic of South Africa, for having ensured the proper conduct of the elections held in Midrand, South Africa, at the Headquarters of the PAP;
4. **COMMENDS** H.E. Moussa Faki Mahamat, Chairperson of the Commission, for the participation and the leadership demonstrated during the election proceeding of the PAP Bureau;
5. **WELCOMES** the sense of responsibility, Pan-Africanism and the spirit of compromise of the parliamentarians that prevailed during the elections and **CONGRATULATES** the elected members of the Bureau and all members of PAP;
6. **RECALLS** Decisions EX.CL/Dec.979(XXXI), EX.CL/Dec.1018(XXXII) and EX.CL/Dec.1128(XXXIX) that reiterated the application of the African Union values, rules, and regulations in managing all activities of the Organ, including the principle of geographical rotation of the members of the Bureau inclusive of the Presidency, and **DIRECTS** the PAP to apply the rotation formula outlined in the Modalities for Election of Bureau Members of the Sixth Pan African Parliament in all future elections of the Bureau;
7. **ALSO DIRECTS** the Office of the Legal Counsel, in close collaboration with the Secretariat of the PAP, to urgently review the Rules of Procedure of the PAP to ensure alignment with African Union values, rules, and regulations as well as established practices of the Union including the principle of geographical rotation;
8. **ENCOURAGES** Members States that have not yet done so to ratify the Protocol to the Constitutive Act of the African Union relating to the Pan-African Parliament of 2014.

9. **FURTHER RECALLS** Decision EX.CL/Dec.1028(XXXII) that directed the PRC to hold a retreat with the PAP to address all the concerns and challenges that affect the delivery and operations of the PAP and **REITERATES** the need to urgently convene the said retreat and report back to the Executive Council in February 2023.



DECISION
ON THE REPORT ON THE APPROPRIATE LEVEL OF FUNDS TO BE USED UNDER
THE CRISIS RESERVE FACILITY (CRF) OF THE AU PEACE FUND - Doc.
EX.CL/1366(XLI)

The Executive Council,

1. **TAKES NOTE** of the report on the proposed level of the Crisis Reserve Facility (CRF);
2. **RECALLS** Decision Ext/Assembly/AU/Dec.(XVI) adopted by the 16th Extraordinary Session of the Assembly on Terrorism and Unconstitutional Changes of Government in Africa of May 2022; and Assembly Decision Assembly/AU/Dec.815(XXXV) of the 35th Ordinary Session of the Assembly of the Union of February 2022;
3. **APPROVES** the ceiling of US\$5,000,000.00 as the level of the Crisis Reserve Facility (CRF) for twelve (12) months with effect from January 2023, and **FURTHER INSTRUCTS** the PRC, through its subcommittee on GSCBFAM, working jointly with the F15 technical experts, to finalize the modalities of the replenishment of CRF and report back to Executive Council in February 2023;
4. **EMPHASIZES** the need to adhere to the procedures based on the AU Financial Rules with regard to the approval process, utilization and reporting on the CRF level and the eligibility for assistance from the Crisis Reserve Facility;
5. **COMMENDS** the Peace and Security Council (PSC), the Board of Trustees, and the Executive Management Committee on their commitment towards the utilization of the AU Peace Fund.

DECISION ON THE ACTIVITY REPORT ON THE AFRICAN UNION COMMISSION ON INTERNATIONAL LAW (AUCIL) - EX.CL/1368(XLI)

The Executive Council,

1. **TAKES NOTE** of the activity report of the African Commission on International Law (AUCIL) for the period January 2021-June 2022, and the recommendations contained therein;
2. **ALSO NOTES** the wide range of legal topics and diverse studies being undertaken by AUCIL towards the codification and implementation of African international law and **COMMENDS** the AUCIL for the several studies on international law so far finalized;
3. **FURTHER NOTES WITH CONCERN** the insufficient resources allocated to the AUCIL, which affects its effectiveness;
4. **RECALLS** Decision EX.CL/Dec.1083(XXXVI) on the offer by the Republic of Equatorial Guinea to host the AUCIL Secretariat and **CALLS ON** the PRC and the Commission to expeditiously finalize the structure of an independent AUCIL Secretariat, the process of its relocation, and submit a report thereof to the Executive Council in February 2023;
5. **COMMENDS** the AUCIL for the timely completion of the study on the legal implications of amending Article 5(1) of the Protocol on the Establishment of the African Court on Human and Peoples' Rights to grant the African Committee of Experts on the Rights and Welfare of the Child direct access to the Court, and **DECIDES** the transmission of the study to the PRC for consideration, through its Sub-Committee on Human Rights and Governance, prior to the submission of concrete recommendations on the way forward to the Executive Council in February 2023;
6. **URGES** the PRC, through its relevant Sub-Committees, and the Commission to work closely with the AUCIL and provide it with the necessary resources and support it needs to effectively discharge its mandate, including providing guidance and advise on the identification and selection of legal matters of interest to the Union and its Member States, in a manner consistent with the nature and the mandate of the AUCIL;
7. **REQUESTS** accordingly the PRC to consider and adopt a supplementary budget for AUCIL activities with regard to its interactions with relevant AU Organs;
8. **COMMENDS** the theme of the 9th Edition of the Forum as: "**International Law, Business Law and Human Rights in Africa**" in line with the objectives set under Agenda 2063 and **REQUESTS** the AUCIL to disseminate the proceedings of the Forum to all Member States and other relevant bodies.

DECISION ON THE REPORT OF THE RETREAT BETWEEN THE AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS (AFCHPR) AND PERMANENT REPRESENTATIVES' COMMITTEE (PRC), INCLUDING AMENDMENT OF NIAMEY DECISION RELATING TO THE BENEFITS OF JUDGES - EX.CL/1378(XLI)

The Executive Council,

1. **TAKES NOTE** of the report of the PRC adopted during its 44th Ordinary Session, held from 20 June to 8 July 2022, and the recommendations thereto relating to the status of judges of the African Court on Human and Peoples' Rights (AfCHPR);
2. **CONGRATULATES** the PRC and the AfCHPR for the successful Joint Retreat organized on 10-11 March 2022 in Arusha, United Republic of Tanzania, and **TAKES NOTE** of the recommendations of the said retreat;
3. **REAFFIRMS** the central role of the AfCHPR as the continental judicial body to ensure the achievement of the objectives of the Constitutive Act of the Union to promote and protect human and peoples' rights;
4. **RECALLS** Decision EX.CL/Dec.1057(XXXV), and in particular Section C of the said decision "*on the harmonization of allowances and benefits for Organs of the Union*";
5. **DECIDES** to amend paragraph 14 of Decision EX.CL/Dec.1057(XXXV) to read as follows: "**Also Decides** to maintain the current terms and conditions of service with a view to ensuring harmonization of entitlements, allowances, benefits and conditions of service of all Judges of the African Court";
6. **REQUESTS** the Commission and the AfCHPR, within the framework of the ongoing institutional reform, to propose new entitlements and benefits for the judges of the AfCHPR;
7. **AUTHORIZES** the PRC, through the relevant Sub-Committee, to approve supplementary budget to cover expenses occasioned by the review of Decision EX.CL/Dec.1057 (XXXV);
8. **REQUESTS** the Commission and the AfCHPR to report to the Executive Council in February 2023 on the implementation of this decision.

**DECISION ON THE MID-TERM IMPLEMENTATION REPORT OF THE AFRICAN
UNION THEME OF THE YEAR FOR 2022 ON NUTRITION –
Doc. EX.CL/1367(XLI)**

The Executive Council,

1. **TAKES NOTE** of the Mid-Year Report on the Implementation of the Roadmap of the African Union Theme of the Year for 2022 titled '*Strengthening Resilience in Nutrition and Food Security on The African Continent: Strengthening Agro-Food Systems, Health and Social Protection Systems for the Acceleration of Human, Social and Economic Capital Development*';
2. **ACKNOWLEDGES** the role played by the African Union Nutrition Champion, His Majesty King Letsie III, Head of State of the Kingdom of Lesotho, for engaging Heads of State and Government and other policy and decision-makers to elevate nutrition on continental and domestic agendas and strengthen the political will to address the complex root causes of malnutrition;
3. **TAKES NOTE** of the progress made in the implementation theme of the year action plan recommendations arising from key actions and stakeholder engagements, most of which call for Member states to prioritize increased domestic financial investment in food and nutrition security while promoting investments in multi-sectoral programming, and **CALLS** on the Commission and key stakeholders to adopt and develop a multisectoral policy framework and a nutrition investment target that will guarantee domestic resource allocation for nutrition programming;
4. **ALSO TAKES NOTE** of the planned activities inscribed in the roadmap on the theme of the year to be implemented in the second semester of 2022 and beyond and **CALLS UPON** the Commission to work closely with all Member States, Regional Economic Communities (RECs), African Union Development Agency (AUDA – NEPAD), Africa Development Bank (Africa Leaders for Nutrition Initiative), UN Agencies and partners in food and nutrition security to continue supporting the implementation of activities and programs in line with the AU theme of the year for 2022;
5. **FURTHER TAKES NOTE** with appreciation the ongoing preparations by the Arab Republic of Egypt to host COP 27 in November 2022, and to launch initiatives addressing Adaptation in Africa, including on agriculture and food security, and **ENCOURAGES** all Member States and the Commission to continue their support to the Arab Republic of Egypt for a successful hosting of the African COP;
6. **NOTING** the unprecedented needs due to the intersection of conflict, climate change, the coronavirus pandemic, and rising costs restricting access to food for

millions of people and **RECOGNIZING** that there are only three (3) years left to achieve the Malabo targets (10% and 5% stunting and underweight), the Africa Regional Nutrition Strategy (2016-2025), **DECIDES** that activities on the roadmap for the AU theme of the year for 2022 should continue;

7. **REQUESTS** the Commission, in collaboration with the Republic of Cote d'Ivoire and key stakeholders, to present a comprehensive report to the Assembly in February 2023 on the impact of the AU theme of the year for 2022 highlighting key achievements, challenges, and strategy for implementing the key recommendations arising from the AU theme of the year on nutrition beyond 2022.



**DECISION ON THE REPORT OF THE CONFERENCE OF STATE PARTIES OF THE
AFRICAN MEDICINES AGENCY (AMA) ON THE HOSTING OF THE AMA
HEADQUARTERS - EX.CL/1369(XLI)**

The Executive Council,

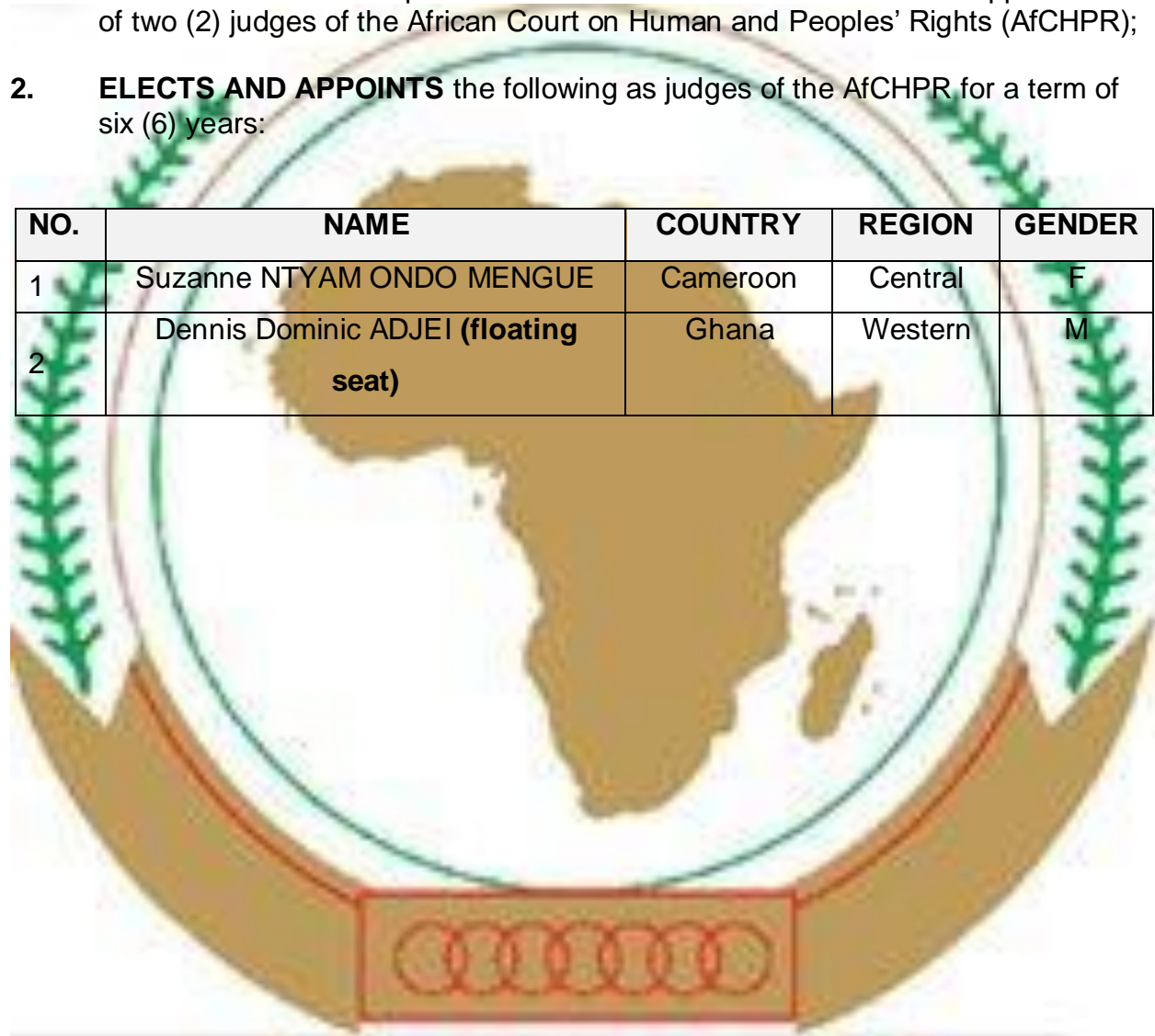
1. **RECALLS** Decision Assembly/AU/Dec. 830(XXXV) authorizing “*the 41st Ordinary Session of the Executive Council in July 2022, to take a decision on behalf of the Assembly on the [hosting] of the AMA HQ based on the recommendation of the Conference of State Parties of the AMA*”;
2. **COMMENDS** the tremendous work of the Assessment Team, and the AUDA-NEPAD in the support towards and completion of the assessment missions;
3. **FURTHER COMMENDS** all candidate Member States that offered to host the headquarters of the African Medicines Agency (AMA) on the strength of their offers and **CALLS** on all candidate Member States to support the operationalization of the AMA;
4. **TAKES NOTE** of the assessment report on the hosting of the African Medicines Agency (AMA) headquarters and the report and recommendation of the First Ordinary Session of the Conference of the States Parties to the Treaty for the Establishment of the African Medicines Agency (AMA Treaty);
5. **DECIDES** that the Republic of Rwanda shall host the headquarters of the AMA;
6. **REQUESTS** the Commission to continue providing support to the Conference of the States Parties to the AMA Treaty and the Republic of Rwanda for the operationalization of the AMA and the establishment of its headquarters as early as possible;
7. **ENCOURAGES** Member States that have signed the AMA Treaty to ratify it and **CALLS ON** other Member States to sign and ratify the said treaty to safeguard public health, safety and security and to improve access to quality, safe and efficacious medicines and medical products on the continent.

**DECISION ON THE ELECTION AND APPOINTMENT OF THE TWO (2) JUDGES OF
THE AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS (AfCHPR)
Doc. EX.CL/1372(XLI)**

The Executive Council,

1. **TAKES NOTE** of the report of the Commission on the election and appointment of two (2) judges of the African Court on Human and Peoples' Rights (AfCHPR);
2. **ELECTS AND APPOINTS** the following as judges of the AfCHPR for a term of six (6) years:

NO.	NAME	COUNTRY	REGION	GENDER
1	Suzanne NTYAM ONDO MENGUE	Cameroon	Central	F
2	Dennis Dominic ADJEI (floating seat)	Ghana	Western	M

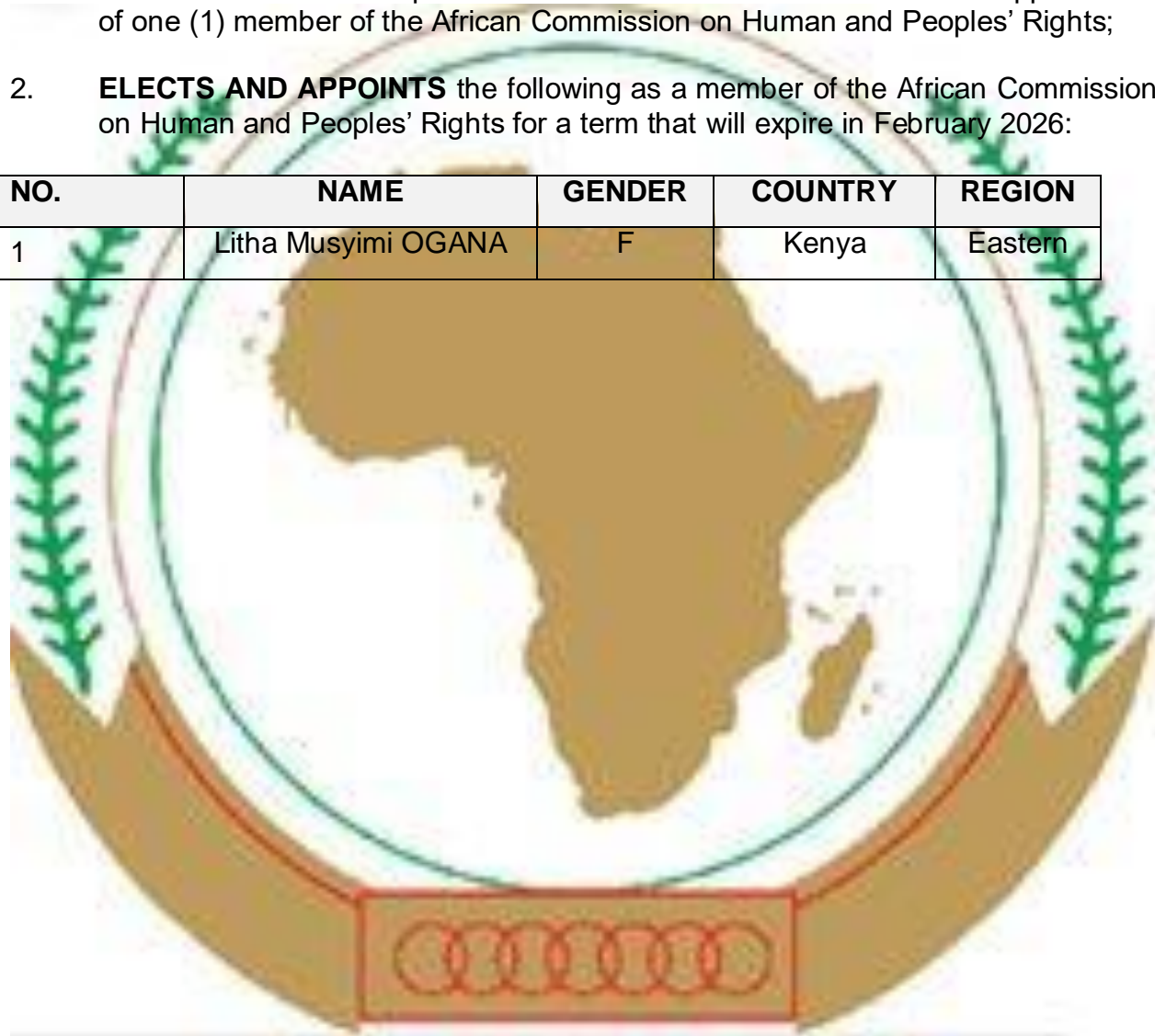


**DECISION ON THE ELECTION AND APPOINTMENT OF THE ONE (1) MEMBER OF
THE AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS (AfCHPR)
Doc. EX.CL/1373(XLI)**

The Executive Council,

1. **TAKES NOTE** of the report of the Commission on the election and appointment of one (1) member of the African Commission on Human and Peoples' Rights;
2. **ELECTS AND APPOINTS** the following as a member of the African Commission on Human and Peoples' Rights for a term that will expire in February 2026:

NO.	NAME	GENDER	COUNTRY	REGION
1	Litha Musyimi OGANA	F	Kenya	Eastern



**DECISION ON THE ELECTION AND APPOINTMENT OF TWO (2) MEMBERS OF
THE AFRICAN UNION ADVISORY BOARD AGAINST CORRUPTION - Doc.
EX.CL/1374(XLI)**

The Executive Council,

1. **TAKES NOTE** of the report of the Commission on the election and appointment of two (2) members of the African Union Advisory Board Against Corruption (AUABC);
2. **REGRETS** the non-submission of female candidates by State Parties to the African Union Convention on Preventing and Combating Corruption from the Southern Region;
3. **DECIDES** to postpone the election of one (1) female candidate from the Southern Region to the 42nd Ordinary Session of the Executive Session;
4. **REQUESTS** the Commission to re-open submission of candidates for the position and **APPEALS** to State Parties to the African Union Convention on Preventing and Combating Corruption from the Southern Region to submit their female candidates;
5. **ELECTS AND APPOINTS** the following as a Member of the AUABC for a two (2)-year term:

NO	NAME	GENDER	COUNTRY	REGION
1	Elzahraa Kamal KHALED	F	Egypt	Northern

**DECISION ON THE NOMINATION AND APPOINTMENT OF THE ONE (1)
REPRESENTATIVE OF SOUTHERN AFRICA FOR THE 5TH PANEL OF THE WISE -
Doc. EX.CL/1375(XLI)**

The Executive Council,

1. **RECALLS** the Assembly decision Assembly/AU/Dec. 824(XXXV) which directed the Chairperson of the Commission to consult with the Southern African region towards nominating a representative from the region and submit to the 41st Ordinary Session of the Executive Council; and delegated the 41st Ordinary Session of the Executive Council, the authority to appoint a Southern African representative for the 5th Panel of the Wise, in line with Rule 4(2) of the Assembly Rules of Procedures on Delegation of authority;
2. **DECIDES**, in line with Article 11 (2) of the PSC Protocol, to appoint **H.E. Phumzile Mlambo-Ngcuka**, former Deputy President of the Republic of South Africa and former Executive Director of UN Women, as a member of the 5th Panel of the Wise for a three-year mandate from February 2022, and representing the **Southern African Region**;
3. **REITERATES** its request to the Commission to collaborate with the appointed Panel to strengthen the operations of PanWise and FemWise-Africa.



**DECISION ON APPOINTMENT OF MEMBERS OF
THE AU BOARD OF EXTERNAL AUDITORS
Doc. EX.CL/1377(XLI)**

The Executive Council,

1. **TAKES NOTE** of the nominations as per Rule 98 of the AU Financial Rules, submitted by the Regional Deans following consultation within their respective regions;
2. **DECIDES** to appoint, in addition to the first-tier members, the following Head of Supreme Audit Institutions on the AU Board of External Auditors (BoEA) for the 2022 and 2023 Financial Years:

REGION	REPRESENTATIVE
CENTRAL AFRICA	REPUBLIC OF EQUATORIAL GUINEA
EASTERN AFRICA	UNITED REPUBLIC OF TANZANIA
NORTHERN AFRICA	
SOUTHERN AFRICA	KINGDOM OF ESWATINI
WESTERN AFRICA	REPUBLIC OF COTE D'IVOIRE

3. **CALLS UPON** the Northern Region to finalize its consultations to designate its representative within the BoEA to be endorsed by the Executive Council in February 2023;
4. **COMMENDS** the work of the outgoing Heads of Supreme Audit Institutions of the following Member States who served the BoEA diligently for the financial year 2020-2021:
 - Central Africa – Republic of Congo;
 - Eastern Africa – United Republic of Tanzania;
 - Northern Africa – State of Libya;
 - Southern Africa – Republic of Namibia;
 - Western Africa – Republic of Guinea.

**DECISION ON THE REPORT OF THE JOINT SITTING OF THE MINISTERIAL
COMMITTEE ON SCALE OF ASSESSMENT AND CONTRIBUTIONS AND THE
COMMITTEE OF F15, INCLUDING THE OUTCOME OF THE F15 RETREAT – Doc.
EX.CL/1370(XLI)**

The Executive Council,

1. **TAKES NOTE** of the report of the Joint Sitting of the Ministerial Committee on Scale of Assessment and Contributions and the Committee of Fifteen Ministers of Finance (F15);
2. **COMMENDS** Member States for contributing **US\$142,823,360.89**, equivalent to 70% of the **US\$204,784,571.00** assessed contribution in 2022 towards the Union's regular budget;
3. **ALSO COMMENDS** Member States for contributing **US\$272,470,917.00** to the AU Peace Fund since 2017, a demonstration of the high level of commitment by the Union to fully operationalize the Fund;
4. **FURTHER COMMENDS** Member States that are up-to-date with the payment of their contributions and **URGES** Member States that have not yet done so to pay their assessed contributions in fulfillment of their financial obligations to the Union;
5. **RECALLS** Decision EX.CL/Dec.1071(XXXV) which considered the security and political situation of the Federal Republic of Somalia and Libya and withheld the imposition of sanctions for non-payment of contributions, and which requested the Commission to consult with the two Member States to agree on a payment plan to clear the arrears within four (4) years from the adoption of the decision;
6. **ALSO RECALLS** Decision Assembly/AU/Dec.752(XXXIII), which took note of the requests from the Republic of Seychelles and the Republic of Burundi and the challenges they faced in meeting their annual contributions to the Union, and the request to the Commission to engage with Member States facing difficulties paying their contributions to the Union and those in arrears for two (2) or more years in order to agree on the payment plan for clearing their arrears;
7. **FURTHER RECALLS** Decision EX.CL/Dec.1119(XXXVIII), which took note of the request from the Republic of the Sudan on the need to review its assessed contribution and requested the Commission to consult with the Republic of the Sudan based on the current scale of assessment to agree on a payment plan to clear the arrears as soon possible, within four (4) years from the adoption of the decision;

8. **RECALLS** Decision Assembly/AU/Dec.802(XXXIV), which endorsed the payment plans for the Federal Republic of Somalia, the Republic of Seychelles and the Republic of Burundi to clear their arrears;
9. **COMMENDS** the Republic of Seychelles for fully implementing the payment plan which was agreed with the Commission and for clearing all outstanding arrears to AU budgets as well as paying in full the 2022 assessed contribution to the regular budget and Peace Fund and **ENCOURAGES** the Republic of Burundi and the Federal Republic of Somalia to continue implementing the payment plans agreed with the Commission to clear the arrears as soon as possible in line with Decision Assembly/AU/Dec.802(XXXIV);
10. **ALSO RECALLS** Decision EX.CL/Dec.1138(XXXIX), which urged Libya and the Republic of the Sudan to conclude the engagements with the Commission to agree on their respective payment plans for settling their arrears and report back to the Executive Council in February 2022;
11. **FURTHER RECALLS** Decision EX.CL/Dec.1162(XL), which took note of the report of the Commission on the on-going consultations with Libya and the Republic of the Sudan, urged the two (2) Member States to urgently finalize and submit their respective payment plans for settling their arrears to the Commission and requested the Commission to report back to the Executive Council in July 2022;
12. **RECALLS** Decision Assembly/AU/Dec.838(XXXV), which decided exceptionally and given the well-known long-standing complex situation in Libya that, upon full payment by Libya of 50% of its arrears, the Commission shall write-off the 50% of the contributions to the regular budget due to the Union;
13. **COGNIZANT** of the lack of progress made in agreeing on a payment plan between the Commission and the Republic of the Sudan on the payment of the latter's arrears and **URGES** both parties to urgently conclude on the matter and report back to the Executive Council in February 2023;
14. **URGES** Libya to pay in full the 50% of its arrears for the Commission to effect the necessary write-off of the remaining 50% of its arrears;
15. **DECIDES** to impose sanctions on the following Member States that have fallen back on the payment of their assessed contributions:
 - a. **Cautionary sanctions:** Nigeria, Ghana, Malawi, Chad, Senegal and Djibouti are to be removed from the list of countries under sanction; and
 - b. **Intermediate sanctions:** São Tomé and Guinea.

16. **RECALLS** Decision EX.CL/Dec.1138(XXXIX), which directed the Commission, supported by the F15 technical experts, to expedite the process of developing the new scale of assessment to be applied for the period 2023-2025 and present proposals for consideration and adoption by the Policy Organs in February 2022;
17. **ALSO RECALLS** Decision EX.CL/Dec.1162(XL), which: took note of the report of the Joint Sitting of the Ministerial Committee on Scale of Assessment and Contributions and Committee of Fifteen Ministers of Finance (F15) on the development of the new scale of assessments and the recommendation to give more time to the Commission and the F15 technical experts to gather additional data that will, in the context of COVID-19 pandemic, better reflect Member States' capacity to pay and for the necessary regional consultations to be undertaken; recommended the extension of the application of the current scale of assessment 2020-2022 by one year up to 2023; requested the Commission and the F15 technical experts to agree on a roadmap for the development of the new scale of assessment to be applied for the period 2024-2026; and further requested the Commission to report back to the Executive Council in July 2022;
18. **FURTHER RECALLS** Decision Assembly/AU/Dec.838(XXXV), in which the Assembly decided to extend the application of the current scale of assessment 2020- 2022 by one year up to 2023;
19. **TAKES NOTE** of the roadmap agreed on by the Commission and F15 technical experts on the development of the new scale of assessment and in line with Decision Assembly/AU/Dec.838(XXXV), and **REQUESTS** the Commission, with the support of the F15 technical experts, to develop the new scale of assessment to be applied for the period 2024-2026 and, following the due process, present it to the Assembly for adoption in February 2023 including the relevant consultations as highlighted below:
 - a) presentation of options to the F15 technical experts for analysis: 11-12 of January 2023;
 - b) preliminary consultative meeting with Embassies in Addis Ababa to evaluate the options: 20-23 January 2023;
 - c) consultative meeting with the PRC to review and endorse the options: 27 January 2023;
20. **RECALLS** Decision EX.CL/Dec.1119(XXXVIII), which mandated the Commission to continue bilateral consultations with countries according to the reservations on Decision EX.CL/Dec.1100(XXXVII) on the use of the scale of assessment for the regular budget to assess Member States to the AU Peace Fund with a view to arriving at the appropriate mechanism for assessing the Peace Fund as long as it does not affect the consensus already agreed on the matter and the reservations made thereof;

21. **ALSO RECALLS** Decision EX.CL/Dec.1138(XXXIX), which directed the Commission and urged six (6) Member States that have entered the reservation to finalize the consultations before the Executive Council in February 2022;
22. **FURTHER RECALLS** Decision EX.CL/Dec.1162(XL), which: took note of the proposal made by the six (6) Member States of the Northern Region that expressed reservations on Decision EX.CL/Dec.1100(XXXVII) on the use of the scale of assessment for the regular budget to assess Member States to the AU Peace Fund and its implications on the total endowment of the Peace Fund; directed the Commission to work closely with the F15 and the Office of the Legal Counsel to analyze the proposals made and the implications thereof; recommended solutions in accordance with the legal framework of the Union; and further directed the Commission, guided by the solutions recommended thereof, to continue consultations with the concerned Member States from the North and other regions to agree on a mechanism for contributions to the Peace Fund and report back to the Executive Council in July 2022;
23. **TAKES NOTE** of the progress and the proposals made and **URGES** the Commission and the F15 to finalize the analysis of the proposals made by the six (6) Member States of the Northern Region including the consultations as prescribed in Decision EX.CL/Dec.1162(XL) and report back to the Executive Council in February 2023;
24. **RECALLS** Decision EX.CL/Dec.1162(XL) that took note of the concern raised regarding the concentration of investments in two (2) banks from one (1) region and expresses its concern on the delay on implementation of the decision;
25. **REITERATES** its request to expedite finalization of the African Union Treasury Policy and present it for consideration by PRC through its relevant Sub-Committees and F15 technical experts and report back to the Executive Council in February 2023.

DECISION
ON THE REPORT OF THE COMMITTEE OF FIFTEEN MINISTERS OF
FINANCE (F15) – Doc. EX.CL/1379(XLI)

The Executive Council,

1. **TAKES NOTE** of the report of the retreat of the Committee of Fifteen Ministers of Finance held on 13-14 June 2022 in Rabat, Kingdom of Morocco, under the theme “*Beyond COVID-19 pandemic and the Ukraine-Russia Conflict: Enhancing the Resilience of African Economies and Financial Sustainability of the African Union*”, including the Communiqué therein;
2. **RECALLS** Decision Assembly/AU/Dec.578(XXV), which adopted the Union’s self-financing targets of 100% for the operational budget, 75% for the program budget and 25% for the peace support operations budget and **FURTHER RECALLS** Decision Assembly/AU/Dec.605(XXVII), whereby the Assembly reaffirmed its determination to ensure that the Union is financed in a predictable, sustainable, equitable and accountable manner with the full ownership by its Member States;
3. **ALSO RECALLS** Decision Assembly/AU/Dec.687(XXX), which endorsed the budget oversight role and functions of the F15 and adopted the Golden Rules that provide a framework for financial management and accountability principles at the Union;
4. **RECALLS** Decision Assembly/AU/Dec.733(XXXII), which mandated the Commission to provide technical support to Member States in accelerating the implementation of the 0.2% import levy and further reaffirmed that Member States, while implementing the decision, will be availed flexibility in fulfilling their obligations, as per their constitutional provisions and national laws, in accordance with Rule 33 of the Rules of Procedure of the Assembly;
5. **FURTHER RECALLS** Decision Assembly/AU/Dec.819(XXXV), which urged Members States to accelerate implementation of the 0.2% levy on eligible imports, determined in July 2016, with a view to reaching at least thirty-five (35) Member States fully implementing the levy;
6. **ALSO RECALLS** Decision Assembly/AU/Dec.821(XXXV) adopting the Revised AU Financial Rules and **TAKES NOTE** of Rule 94(2) on the Committee of Fifteen Ministers of Finance (F15), which stipulates that the F15 shall develop its rules of procedure which shall be adopted by the Assembly;
7. **URGES** Member States to promptly pay their assessed contributions in adherence to Rule 23(1) of the AU Financial Rules, with the objective to address program implementation challenges directly associated with cash-flow constraints;

8. **APPRECIATES** the determination by the F15 to support the ongoing budget and financial reforms of the African Union and **ENDORSES** the commitment to reinforce the processes with a robust tri-annual review of the Union's financial management, budgetary and accountability principles, and to recommend periodic improvements including through a budget performance assessment mechanism to be set in place by the F15;
9. **DIRECTS** the Commission, upon the request of Member States, to intensify technical and advisory support to address the pending concerns of the alignment and harmonization of the 0.2% import levy mechanism with their national laws, including alignment with the various bilateral and multilateral trading systems, bearing in mind the flexibility stipulated in Decision Assembly/AU/Dec.733(XXXII);
10. **REQUESTS** the Committee of Fifteen Ministers of Finance (F15) to continue and finalize consultations on its draft rules of procedure for presentation to the Policy Organs in February 2023, and **STRESSES** that the membership of the F15 shall comprise three (3) Member States per region to be constituted on the basis of the principles of equal sovereignty, rotation and solidarity as per the established practice;
11. **TAKES NOTE** of the concern of the F15 in relation to the proliferation of new institutions that carry significant financial implications and **ACKNOWLEDGES** the need for a systematic approach that considers the financial implications of new institutions and potential duplications;
12. **DECIDES**, in the context of the ongoing reform, to institute a moratorium on establishing new structures and **FURTHER REQUESTS** the F15 to provide technical inputs for the upcoming restructuring and rationalization of AU Organs and Offices outside the Headquarters, in an exercise that is intended to achieve a Union that is better aligned, efficient and effective;
13. **TAKES NOTE** of the Declaration on the Financial Sustainability of the African Union and **ENDORSES** it for consideration and adoption by the Assembly in February 2023.

**DECISION ON THE REPORT OF THE MINISTERIAL COMMITTEE ON AFRICAN
CANDIDATURES WITHIN THE INTERNATIONAL SYSTEM
Doc. EX.CL/1371(XLI)**

The Executive Council,

1. **WELCOMES** the report of the Ministerial Committee on African Candidatures within the International System;
2. **TAKES NOTE** of pending candidatures for election as President of the 79th Session of the United Nations General Assembly (UNGA) 2024-2025, which is scheduled for June 2023, in New York, USA, the candidatures of:

- **Republic of South Africa** (Southern Africa Region)
- **Republic of Cameroon** (Central Africa Region)

N/B: The 40th Ordinary Session of the Executive Council requested the African Group in New York to facilitate further consultation between the two countries in order to agree on one African Candidate for this important post.

3. **ENDORSES** the new candidatures of governments submitted by Member States:
 - A. for election as a Member of the Council of the International Telecommunication Union (ITU), Region D for the period 2023-2026, which is scheduled for October 2022, in Bucharest, Romania, the Candidatures of:

- **Republic of Tunisia** (Northern Africa Region) - **Re-Election**;
- **Republic of Ghana** (Western Africa Region) - **Re-Election**;
- **United Republic of Tanzania** (Eastern Africa Region);
- **Republic of Rwanda** (Eastern Africa Region) - **Re-Election**;
- **Republic of Cameroon** (Central Africa Region);
- **Republic of Côte d'Ivoire** (Western Africa Region) - **Re-Election**;
- **Republic of Niger** (Western Africa Region);

N/B: The 40th Ordinary Session of the Executive Council endorsed the candidatures of Egypt, Nigeria, Mauritius, Kenya, South Africa, Algeria, Senegal and Morocco. The African Group in Geneva is to advise on the number of seats available for Africa.

- B. for election as a Member of the Council of the International Civil Aviation Organization (ICAO), PART for the period 2022-2025, which is scheduled for October 2022 in Montreal, Canada, the candidatures of:

- **Federal Republic of Nigeria** (Western Africa Region), **for Part II**;
- **Republic of South Africa** (Southern Africa Region), **for Part II**;
- **Republic of Ghana** (Western Africa Africa), **for Part III**;
- **Republic of Equatorial Guinea** (Central Africa Region), **for Part III**;
- **Federal Democratic Republic of Ethiopia** (Eastern Africa Region), **for Part III**;
- **Republic of Zimbabwe** (Southern Africa Region), **for Part III**;

N/B: The 40th Ordinary Session of the Executive Council endorsed the candidature of Egypt for Part II and Mauritania for part III and encouraged other Member States to submit candidatures for other available seats.

C. for election as a Member of the United Nations Committee for Programmes and Coordination for the period 2023-2025, during the election scheduled for November 2022 in New York, the candidatures of:

- Republic of Liberia (Western Africa Region);
- Kingdom of Morocco (A) (Northern Africa Region);

NB: The candidature of the Tunisia was endorsed by the 40th Ordinary Session of the Executive Council. Three seats are available for Africa. The seat for Morocco was launched on appeal.

4. TAKES NOTE of the candidatures of governments submitted by Member States for election as a Non-Permanent Member of the United Nations Security Council (UNSC) for the period 2026-2027, which is scheduled for 2025 in New York, USA, the candidatures of:

- **Republic of Congo; and**
- **Republic of Burundi**

N/B: the 41st Ordinary Session of the Executive Council took note of the agreement between the two countries on a single candidature to represent the Central African region as a Non-Permanent Member of the United Nations Security Council for the period 2026-2027. The Council strongly encouraged the two countries to continue with consultations.

5. ALSO TAKES NOTE of the new candidatures of governments submitted by Member States for election as Non-Permanent Member of the United Nations Security Council (UNSC) for the period 2027-2028, which is scheduled for June 2026 in New York, USA, the candidature of:

- **Republic of Zimbabwe** (Southern African Region)

6. **APPROVES** the new candidatures of individuals submitted by Member States:

A. for election as an Assistant Secretary-General of the World Customs Organization, for the period 2023-2027, which is scheduled for June 2023, in Brussels, Belgium, the candidature of:

- **Mr. Samson Bilangna**, Republic of Cameroon;

B. for election as a Member of the International Tribunal for the Law of the Sea (ITLOS), for the period 2024-2032, which is scheduled for June 2023, in New York, USA, the candidature of:

- **Ambassador Osman Keh Kamara**, Republic of Sierra Leone

N/B: The candidature of Adv. Thembeli was endorsed by the 40th Ordinary Session of the Executive Council for this post. Africa has two (2) seats.

C. For election as Director of the Development Bureau of the International Telecommunication Union (ITU), for the period 2023-2026, which is scheduled for October 2022 in Geneva, Switzerland, the candidature of:

- **Mr. Alexander Ntoko**, Republic of Cameroon

N/B: The 39th Ordinary Session of the Executive Council endorsed the candidatures of Dr. Cosmas Zavazava of Zimbabwe and Amb. Prof. Muhammadou M. O. Kah of The Gambia. The African Group in Geneva is to advise on the way forward.

D. For election as a Member of the United Nations Committee on Contributions (CC), for the period 2023-2026, which is scheduled for November 2022, in New York, USA, the candidature of:

- **Mr. Mohamed Mahmoud El Ghouth**, Islamic Republic of Mauritania;

N/B: The 40th Ordinary Session of the Executive Council endorsed the candidatures of a candidate from Burkina Faso

E. For election as a Member of the International Civil Service Commission (ICSC), for the period 2023-2026, which is Scheduled for November 2022, in New York, USA, the candidature of:

- **Amb. Andrew Gbebay Bangali**, Republic of Sierra Leone

N/B: The 39th Ordinary Session of the Executive Council endorsed the candidature of Mr. Ali Ayad Kerir of Libya for this post. The African Group

41st Ordinary Session of the Executive Council, 14-15 July 2022, Lusaka, Zambia

in New York is to advise on the number of seats available for Africa as well as the way forward. (Two (2) seats for Africa)

F. For election as a Member of the Radio Regulatory Board, at the International Telecommunications Union (ITU) Plenipotentiary Conference, for the period 2023-2026, which is scheduled for October 2022 in Bucharest, Romania, the candidatures of:

- Mr. Hassan Talib, Kingdom of Morocco;
- Mr. Edmund Yirenskyi-Fianko, Republic of Ghana;

N/B: The 40th Ordinary Session of the Executive Council endorsed the candidatures of Mr. Mandla Samuel Mchunu of the Republic of South Africa for this post. Africa has two (2) seats.

G. for election as a Member of the Human Rights Council Advisory Committee, for the period 2022-2025, which is scheduled for October 2022 in Geneva, Switzerland, the candidature of:

- Mr. Rabah BOUDACHE, Peoples' Democratic Republic of Algeria;

H. for election as a Member of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) for the period 2024-2026, which is scheduled for November 2023 in New York, USA, the candidature of:

- Mrs. Caroline Nalwanga Magambo, Republic of Uganda

7. **TAKES NOTE** of new candidatures of individuals submitted by Member States:

A. For election as a Secretary-General of the International Maritime Organization (IMO), for the period 2024-2027, which is scheduled for June 2023, in London, UK, the candidature of:

- Amb. Nancy Karigithu, Republic of Kenya

B. For election as a Member of the United Nations Joint Inspection Unit (JUI) for the period 2026-2030, which is scheduled for June 2025, in New York, USA, the candidature of:

- Mr. Robert Ngei Mule, Republic of Kenya

N/B: The 39th Ordinary Session of the Executive Council took note of the candidature of Mr. Makiesse Kinkela Augusto of Angola for this post. The African Group in New York is requested to advise on how many seats are available for Africa as well as the way forward. Africa has two (2) seats.

8. **COMMENDS** the Ministerial Committee on African Candidatures within the International System and the Commission for its efforts to support the African candidate from the Republic of Togo for the Post of Director-General of the International Labour Organization (ILO) and Amb. Raychelle Omamo of the Republic of Kenya for the post of President of the International Fund for Agricultural Development (IFAD) and all other posts;
9. **TAKES NOTE** of efforts made by the Commission to revise the Rules of Procedure for the Ministerial Committee on African Candidatures within the International System;
10. **FURTHER REQUESTS** the Commission to submit them to the next Ordinary Session of the Specialized Technical Committee on Justice and Legal Affairs for consideration in readiness for adoption by the Executive Council in February 2023;
11. **COMMENDS** the forthcoming launching of the E-Candidatures Portal managed by the Department of Political Affairs, Peace and Security of the Commission as a new on-line complementary tool for submission of Candidatures by Member States to enhance the transparency and fairness of this process;
12. **REQUESTS** the Commission to propose training programmes for all potential users, particularly the focal points of Member States and AU staff in Addis Ababa, New York and Geneva, in the course of the last quarter of 2022;
13. **FURTHER REQUESTS** the PRC and its Sub-Committee on General Supervision and Coordination of Budgetary, Financial and Administrative Matters to review and adopt the necessary funds within the supplementary budgets exercise scheduled in August 2022;
14. **COMMENDS** the Department of Political Affairs, Peace and Security of the Commission for continuing to play its role as the Secretariat of the Ministerial Committee on African Candidatures within the International System and to facilitate the organization of meetings of the Committee at both levels, the Ambassadorial and Ministerial levels;
15. **REQUESTS** the Committee to meet at the Ambassadorial level as a “Committee of the whole” in order to take necessary steps and facilitate the statutory process to ensure that all documents related to this Committee are reviewed and synchronized in a timely manner;
16. **ALSO REQUESTS** the Committee at the Ministerial Level to continue meeting as a Committee of fifteen (15) Member States.

**DECISION ON THE MINISTERIAL FOLLOW UP COMMITTEE ON THE
IMPLEMENTATION OF AGENDA 2063 – Doc. EX.CL/1372(XLI)**

The Executive Council,

1. **RECALLS** Decision EX.CL/Dec.1164(XL), which called upon the Commission and the AUDA-NEPAD) to lead the Evaluation of Agenda 2063 First Ten Year Implementation Plan (2014 - 2023) and the development of the Second Ten Year Implementation Plan (2024 - 2033);
2. **APPRECIATES** the leadership of the Ministerial Follow-up Committee on the Implementation of Agenda 2063 and the commitment of African Union Ministers in charge of National Planning, Development and Finance, RECs, and Pan African Institutions to the evaluation of Agenda 2063 First Ten Year Implementation Plan and the development of Agenda 2063 Second Ten Year Implementation Plan;
3. **TAKES NOTE** of the outcome report of the Meeting of the Ministerial Follow-up Committee on the Implementation of Agenda 2063 extended to the African Union Ministers in charge of National Planning and Development and Finance on the launch of the Evaluation of the First Ten Year Implementation Plan and the preparation of the Second Ten Year Implementation Plan of Agenda 2063, **APPRECIATES** the Chairperson of the Committee, Honorable Vincent Biruta, and **ENDORSES** the report and the recommendations contained therein;
4. **CALLS UPON** Member States to ensure ownership of the special project in the Evaluation of Agenda 2063 First Ten Year Implementation Plan and the development of the Second Ten Year Implementation Plan, including by fully embedding the agenda in their national and international development policy making, undertaking national multi-stakeholder consultations, and launching a communications strategy to raise awareness on the project;
5. **URGES** Member States that have not already done so to present their national progress report on the implementation of Agenda 2063.
6. **ADOPTS** the report of the Committee on the launch of the Evaluation of Agenda 2063 First Ten Year Implementation Plan and the development of Agenda 2063 Second Ten Year Implementation and **DIRECTS** the Commission to report on these two (2) processes to the Executive Council in February 2023;
7. **REQUESTS** Member States to:
 - i. provide continuous high-level political ownership and leadership to guide the Commission, AUDA-NEPAD (lead AU bodies tasked with implementation and M&E of Agenda 2063) supported by the technical working group, in the execution of the special project;

- ii. provide the necessary financial, material and technical support to the Ministries of Planning and Finance as well as Planning Authorities, where applicable, to facilitate the multi-stakeholder consultations; in supplement of AUDA/NEPAD technical and seed financial contribution of US\$1,000,000.00 (US\$20,000.00 per country);
- iii. leverage existing and new collaboration and partnership arrangements with RECs, AU bodies, AfDB, the UN System (e.g. AU-UN Partnership Framework) and other development actors to undertake the national multi-stakeholder consultations, and subsequently submit national-level consultation reports by mid-September 2022;
- iv. provide dedicated focal points in the Ministries to facilitate participation of all stakeholders including non-state actors, private sector, faith-based organizations, learning and research institutions, women and youth groups in the implementation of the special project, buttressed on enhanced advocacy and awareness of Agenda 2063, which henceforth would become the People of Africa's Agenda;
- v. enhance data and statistics capacities and strengthen multi-stakeholder dialogue platforms for collective and continuous review, reflection and knowledge exchange on the design and implementation of Agenda 2063;

8. REQUESTS the Commission to fast-track the work of the review of the First Ten-Year Implementation Plan and the Formulation of the Second Ten-Year Implementation Plan of Agenda 2063, and present the report thereof to the Executive Council in February 2023.

