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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;
1. **SUB-COMMITTEE ON STRUCTURAL REFORMS - Doc: EX.CL/1241(XXXVIII)**
2. **RECALLS** the following Decisions:
 - a) The Assembly Decision Assembly/AU/Dec.635 (XXVIII) of February 2017 and DEC. 750 of February 2020 requesting the Chairperson of the Commission to finalize the review of the other organs and institutions and to submit its proposals to the 34th Ordinary Session of the Assembly of Heads of State and Government in February 2021;
 - b) The Assembly Decision AHG/Dec.167 (XXXVII) of the 37th Summit of the OAU African Heads of States and Governments held in Lusaka, Zambia, on 11 July 2001 that created the establishment of The African Energy Commission (AFREC).
3. **TAKES NOTE** of the report of the Subcommittee on structural Reforms on the structures of AFREC and Beijing Office.
4. **RECOMMENDS** the following proposed structure of AFREC for adoption by the Assembly:

Post	Grade	Number of Staff	Status
Office of the Executive Director			
Executive Director	P6	1	Existing
Admin. Assistant	GSA5	1	Existing
Communication Officer	P2	1	Existing
Division of Policies, Strategies and Support			
Head of Division	P5	1	Existing
Country Support & Capacity Building Officer	P4	1	Renamed
Renewable Energy Officer	P3	1	New
Energy Efficiency Officer	P3	1	New
Research, Oil & Gas Officer	P3	1	New

Post	Grade	Number of Staff	Status
Energy Product Technologies Officer	P3	1	New
Energy Economy & Modelling Officer	P3	1	New
Division of Energy Information System & Statistics			
Head of Division	P5	1	New
Energy Statisticians Officers	P3	3	1 Existing 2 New
IT & Data Management Expert	P3	1	New
Graphic Designer	P1	1	New
Unit of Administration, Finance & support			
Finance officer	P2	1	Existing
Assistant Accountant	GSA5	1	New
Administrative Assistant	GSA5	1	New
Secretary Receptionist	GSA4	1	Existing
Driver	GSB7	1	Existing
Mail Runner	GSB7	1	New
Total Number of Staff		22	

The annual estimated staff cost and other benefits (education allowance) is \$ 2,377,843. This excludes other operational cost such as initial recruitment cost.

5. **DECIDES** that the implementation of the above structure should be phased and subject to budget availability.
 6. **DIRECTS** the Commission to finalize the draft structures of the Beijing office and all the other organs and institutions that are still outstanding in conformity with the above stated Assembly Decision Assembly/AU/Dec.635 (XXVIII) and it should be presented to the next ordinary session of the Executive Council of July 2021.
- II. THE JOINT SITTING OF THE SUB-COMMITTEE ON GENERAL SUPERVISION AND COORDINATION ON BUDGETARY, FINANCIAL AND ADMINISTRATIVE MATTERS, SUB-COMMITTEE ON PROGRAMS AND CONFERENCES AND THE TECHNICAL EXPERTS OF F15 - Doc: EX.CL/1242(XXXVIII)**

A. Supplementary Budget Request for 2020

7. **APPROVES** the virement of **US\$7,712,869** to be financed from internal savings as follows:

Staff Cost	163,855.75
Staff Cost-Other	3,666,639.52
Communication	300,551.68
Maintenance	349,460.92
Utilities, Insurance & Fuel	143,445.70
Stationery & Supplies	86,420.16
Bank Charges	16,949.34
Statutory Meetings	100,000.00
Capital	176,971.00
Programs	2,708,574.93
Total	7,712,869

8. **DIRECTS** that discussion on other supplementary budget requests be deferred to a date after the Ordinary summit.
9. **REQUESTS** the Commission to circulate to the Joint Sitting of the PRC sub-committee and the F15 the detailed report on the New York building, and Brussels buildings as well as the AU properties in Lagos for consideration at a meeting to be held after the Ordinary summit and report back to the Executive Council in June/July 2021 on the appropriate way deal with the properties.

B. Report on 2021 Budget Gap

10. **TAKES NOTE** of the Reports of the PRC and Joint Sitting of the Sub-Committee on General Supervision and Coordination on Budgetary, Financial and Administrative Matters, Sub-Committee of Programs and Conferences and the F15's Committee of Experts;
11. **RECALLS** Executive Council decision EX.CL/Dec.1097(XXXVII) Paragraph 49 which provisionally approved a list of activities under GAP amounting to **US\$20,297,433** for the Union which was part of the approved 2021 program budget and directed the Commission to solicit additional funds to 30 November 2020 and report back to the PRC on the outcome of the negotiations with partners not later than 14 December 2020.
12. **TAKES NOTE** of the mobilized additional funds of **US\$8,057,610** from the Budget Gap as follows:

Row Labels	Sum of Funds Secured
Administration and Human Resource Development	478 000,00
Africa CDC	3 500 000,00
Bureau of the Chairperson - Cabinet	270 389,00
Bureau of the Deputy Chairperson - Cabinet	211 623,00
Conference Management and Publications	40 000,00
Economic Affairs	69 998,00
Human Resource Science and Technology	510 500,00
Information and Communication	125 696,00
Office of the Legal Counsel	330 632,00
Political Affairs	349 000,00
Program Budget Finance and Accounting	197 700,00
SPPMERM	81 542,00
Trade and Industry	1 757 420,00
Women, Gender and Development	103 456,00
Social Affairs	22 470,00
Infrastructure and Energy	9 184,00
Grand Total	8,057 610,00

13. **UNDERLINES** the urgent need for the implementation of decision EX.CL1097 of October 2020 and **RECOMMENDS** that the Commission take into consideration the ACBF within the framework of the execution of the amounts already secured and in particular the amount of **3.2 million** dollars financed by the world bank.
14. **CALLS UPON** the Commission to reprioritize its activities and all the unsecured funds for activities under the gap amounting to **US\$12,239,823** be cancelled and deleted from the 2021 budget forthwith.
15. **EXPRESSES CONCERN** that Partners, finance up to 75.4% of the program budget, which is not in line with the financial Golden rules and the 2015 Johannesburg decision, and **REQUESTS** the Commission in mobilizing funds, to prioritize the remaining programs and activities and to avoid creating new ones when submitting supplementary budget at a later date.
16. **RECALLS** the Executive Council decision 1097 Paragraph 46 which **APPROVED** a total budget of **US\$636,075,986** and **APPROVES** a new total budget of **US\$623,836,163** for the AU for the year 2021 of which **US\$203,500,000** is to be assessed on Member States (32%), **US\$8,500,000** from the Administrative Cost (1%); **US\$406,194,344** from Partners (65%), and **US\$5,641,820** from the Maintenance Fund (1%). This is further broken down as follows:

a) Regular budget of **US\$359,097,502** broken down as follows:

i) Operating budget of **US\$172,089,820** to be funded as follows:

- **US\$161,000,000** (93%) assessed on Member States;
- **US\$8,500,000** (5%) from Administrative Cost; and
- **US\$2,589,820** (2%) from the Maintenance Fund.

ii) Programme Budget of **US\$187,007,683** to be financed as follows:

- **US\$42,500,000** (22,6%) assessed on Member States;
- **US\$3,052,000** (2%) from the Maintenance Fund; and
- **US\$141,455,683** (75,4%) to be solicited from international partners.

b) Peace Support Operations with a total budget of **US\$264,738,661** to be fully solicited from international partners.

17. **DIRECTS** the Commission to urgently proceed to close the 2021 Budget Cycle.

18. **URGES** the Commission to start negotiations with partners to secure funds for the 2022 AU Budget.

19. **RECALLS** the decision 1097 Paragraph 56 which DECIDED that the Member States assessment for year 2022 shall not exceed **US\$250,000,000**.

20. **DECIDES** that AU budgets are to be adopted without Funding Gap in line with the golden rules.

C. The Budget Framework Paper of the African Union

21. **RECALLS** decision ref: EX.CL/Dec.578(XVII) where the Budget of the Union was recommended to be considered and approved at the June/July sessions hence necessitated the consideration of the Budget Framework Paper by the Executive Council in January/February sessions.

22. **UNDERScores** that the Budget Framework Paper is the basis for the formulation of the Budget of the African Union.

23. **AUTHORIZES** the PRC to review and approve the African Union Budget Framework Paper in order to expedite the composite budget formulation process and to institutionalize a 3-year budget cycle based on the Implementation plans of Agenda 2063.

24. **DIRECTS** all AU Organs to adhere to the priorities and thematic areas outlined in the Budget Framework Paper and reinforce a culture of accountability, result based management in line with the Golden Rules.

25. **REQUESTS** the Commission to report on the implementation of this Decision during the next ordinary session of the Executive Council.

D. Report of the Commission on the implementation of the Executive Council Decision on the New AU Wide Quotas and Report of the R10 experts on the AU quota system

26. **RECALLS** the EX.CL/Dec.1097(XXXVII) reiterating the need for the review of the current quota system to be applied to all AU professional positions in all organs (regular, short term, fixed term and special service) considering the requirement of gender and youth quotas excluding general service staff.
27. **TOOK NOTE** of the AU report on the Quota System and expressed concern that the Commission was unable to fully implement the Maputo and Sharm-el-Sheikh recommendations.
28. **RECOMMENDS** to the Assembly for adoption the new AU wide quota system, which is an equation based on the two fundamental principles of solidarity (membership) and equity (scale of assessment) at 50% each. **FURTHER RECOMMENDS** that the equation of the quota shall apply to the recruitment of each category of the professional positions of regular, fixed term, short term and special service staff members in all Union structures and should take into account gender and youth parity.
29. **DECIDES** that the quota shall be applied in line with the SRR with the following criteria:
- a. The quota should take into account the gender parity at all level;
 - b. Positions below P3 should favor Youth without prejudice to internal promotion procedures in line with the AU SRR;
 - c. The suggested quota shall be applied at two levels:
 - i) On the managerial level: to have a fair and equitable representation of all Member States (all positions at P4 and above);
 - ii) On tactical level: to have a fair and equitable representation of all Member States (all positions at P3 and below).
 - d. A Gap Cap of 25% will be applied while implementing the quota to the recruitment of the professional positions of regular, and non-regular staff members in all Union structures.
 - i. The Gap Cap is defined as the difference between the highest Member State in terms of its utilization of its respective quota, when compared to the least Member State in utilizing its respective quota.
 - ii. Once that Gap Cap reached at any time, the highest member state will be temporary blocked till that gap is back to less than 25%.

- iii. That blockage can be lifted after a period of nine (9) months if the blocking Member State is not fulfilling his share of candidates.

30. **DIRECTS** the Commission and the R10 experts to develop a Quota Policy by the end of March 2021, applicable to the Union and should be presented to the next Executive Council Meeting through the relevant policy organs for approval. The Quota Policy shall take into consideration the application quota system on the African Union Youth Volunteer Program, Africa CDC Youth Fellows and Fellows and Scholarships of the Pan-African University Students, in line with Para. 38 Executive Council Decision EX.CL/Dec.1097(XXXVII).

31. **FURTHER DIRECTS** the Commission to submit reports on the implementation of the quota policy at the sessions of the Executive Council.

E. Report on the Proposed AU Staff Pension Fund (AUSPF) Scheme

32. **RECALLS** Executive Council Decision EX.CL/Dec.1073(XXXVI) of February 2020, paragraphs 45 to 47:

- i) **TAKES NOTE** of the consultant's proposal for internal management of the AU Staff Pension Fund (AUSPF) with its Secretariat being financed by Member States within the current structure;
- ii) **EXPRESSES** concern regarding the unavailability of competent staff to manage internally the pension regime with the support of the AU Staff Association.

33. **TAKES NOTE** of the result of the study presented by the consultant with the revised proposal for internal management of the AU Staff Pension Fund without investments, and with the Secretariat of the AUSPF being financed by Member States within the current structure.

34. **DECIDES** that Member States shall not be responsible for any losses incurred due to the management of the fund internally.

35. **FURTHER DECIDES** that all expenses to be incurred to operationalize the AUSPF shall come from the AUSPF recourses, not the AU Budget, except the salaries of staff on the current approved structure of the Secretariat as per Assembly Decision Assembly/AU/Dec.750(XXXIII).

36. **ADOPTS** the proposed option four (IV) of the internal management of the African Union Pension Fund, as modified by the PRC, to be governed in line with the Pension Fund Scheme Rules and the Trust Deed, and **DIRECTS** that resources of the Fund be deposited into banks in Africa that guarantee the security of the funds in case of bankruptcy, as Fixed Deposits through an open bid process and officially notify Member States through Note Verbales.

37. **ALSO ADOPTS** that there be a Board of Trustees in accordance with the Pension Scheme Rules, who shall manage the Fund together with the Secretariat.
38. **DECIDES** that the Composition of the Board of Trustees shall be as follows:
- i. Appointed the Deputy Chairperson of the Commission to serve as the Chair of the Board:
 - ii. Five Members elected by the AU Staff Association:
 - iii. Head of Finance Division each appointed by three (3) Organs on a two (2) years rotational basis.
39. **UNDERLINES** that the investment Committee of the African Union should be consulted periodically.
40. **FURTHER DECIDES** that the AU Staff Pension Fund shall be oversighted by the Office of Internal Audit, Board of External Auditors and the PRC.
41. **REQUESTS** the STC on Justice and Legal Affairs to review the legal provisions of the AU Staff Pension Fund scheme at its next Ordinary Session for adoption by the Executive Council in June/July 2021.

F. Report of the R10 and Exit Strategy

42. **DIRECTS** having the Organs trained to have the minimum required number of experts to start the new recruitment process all over the AU.

G. Extension of the mandate of R10 and Request for a Supplementary Budget for the Extended mandate

43. **TAKES NOTE** of the Report of the joint sitting on the extension of the mandate of R10 and the exit strategy of the R10.
44. **APPROVES** the extension of the mandate of R10 until end of June 2021 and **REQUESTS** the R10 to report to the 39th Executive Council Session in June/July 2021.
45. **DIRECTS** the Commission to coordinate with the R10 to fully realize their mandate;
46. **APPROVES** the Supplementary Budget for Scenario 1 in the amount of \$ 494,445 to be funded from the reserve funds only with a single LinkedIn account at Commission level which will manage the entire Union platform;
47. **ALSO DECIDES** that in order to avoid any violation of the integrity of the African Union rules, and any conflict of interest and to ensure transparency, and fairness

in the new recruitment system, members of the R10 should resign before applying for positions within the Union

H. Implementation of Phase 1 of the Transition Plan

48. **DECIDES** that all vacant posts approved as part of Phase 1 of the Transition Plan be immediately advertised for a period of three months to enable the widest possible opportunity for African citizens to apply. **DIRECTS** the Commission to phase this process starting with the recruitment of all vacant senior management posts as follows: Director-General and Director AHRM by end of May 2021, followed by other Directors and Heads of Division while taking due consideration to the quota of staff of least represented Member States and further request the R10 to train the new Director of AHRM on the system. As soon as the recruitment vacancies are published they shall be communicated through a Note Verbal to Member States in accordance with the decisions of November 2018.
49. **DIRECTS** the Commission to immediately initiate the procurement process, in line with AU FRR for the independent firm that will be responsible for undertaking the skills audit and competency assessment in line with phase one of the transitional plan the terms of reference developed by the Commission and the R10 and **FURTHER APPROVES** the supplementary budget request of \$450,000 to be funded from the African private sector funds, for the implementation of the skills audit and competency assessment.
50. **ALSO DIRECTS** having the new recruited staff during Phase 1 of the transition plan be trained and certified to enable them to recruit efficiently during their service at the Commission.
51. **FURTHER DIRECTS** the Commission and the R10 to execute a CBI Training of Trainers program that should be designed and executed to have a complete autonomy of the AU to train and continuously upgrade the team of experts to execute at the required level of proficiency the CBI interviewing throughout the new recruitments.
52. **INSTRUCTS** the Commission to finalize equipping the two dedicated caucus rooms by the end of February 2021 in order to start the recruitment's activities immediately in order to guarantee the transparency of the recruitment system.
53. **URGES** the Commission to immediately start the translation of the Job Profiles delivered by the R10 to the five working languages of the Union and allows the Commission to use all means, including outsourcing to achieve that task within a maximum of two months from the date of the decision.
54. **ALSO URGES** that the Commission, through APROB to install the two committees, Recruitment and Selection Committee (RSC) and Promotion and Mobility Committee (PMC) as subcommittees to the existing APROB, to serve as

advisory bodies to the new recruitment system until the new Staff Regulations and Rules (SRR) are adopted by the Policy Organs.

55. **REQUESTS** the R10 to work with the Commission with a view to presenting to the PRC the review on 2019 and 2020 Recruitments to enable the R10 to present their relevant report to the PRC by **March 2021**.
56. **DIRECTS** the R10 to finalize the remaining Job Profiles to enable an efficient Skills Audit as well as their usage within the new recruitment system: MBRS (Merit Based Recruitment System).
57. Applying decision EX.CL/Dec.1097(XXXVII) of the Executive Council of October 2020, and referring to Executive Council Decision EX.CL/Dec.1073(XXXVI) of the February 2020, **DIRECTS** the R10 to supervise the Skills Audit exercise that will be executed by an external firm in line with para 49 to preserve its integrity and fairness without prejudice to the approved extension timeframe, as provided in para 44.
58. **RECOMMENDS** the implementation of a complete communication plan that will cover all stakeholders on the new Merit Based Recruitment System (MBRS).
 - I. **Revised Financial Rules and Regulations and Revised Staff Rules and Regulations of the African Union**
59. **RECALLS** the Executive Council Decision EX.CL/Dec.1097(XXXVII) requesting the PRC and the Commission and STC Justice and Legal Affairs to expedite the review of the Financial Rules and Regulations (FRR) and the Staff Rules and Regulations(SRR) for consideration and adoption by the relevant Policy Organs.
60. **COMMENDS** the Commission and the PRC for the finalization of the review and **REQUESTS** the STC on Justice and Legal Affairs to consider the draft African Union Financial Rules and Regulations and the Staff Rules and Regulations during its next extraordinary session for consideration by the Executive Council in June/July 2021.
61. **FURTHER REQUEST** the STC-JLA to consider the Draft Revised SRR taking into account the issue of conditions of service of the staff including promotion and upgrading of staff as well as staff benefit and allowances that is competitive and comparable to other international organizations as stipulated in Article 20 (12) of the Statute of the Commission, in order to retain and attract the best African talent across the continent.'
62. **APPROVES** in principle a supplementary budget to conduct the Extra-ordinary Session of the STC and **DIRECTS** the PRC, assisted by its relevant Sub-Committee, to identify the required budget.

III. THE SUB-COMMITTEE ON AUDIT MATTERS – Doc. EX.CL/1243(XXXVIII)

The Executive Council,

63. **TAKES NOTE** of the Activity Report of the PRC Sub-Committee on Audit Matters.

ON INTERNAL AUDIT REPORT ON BUDGET PERFORMANCE REPORT FOR THE PERIOD JANUARY TO DECEMBER 2019

64. **EXPRESSES CONCERNS** on the low technical and financial execution rates of the program budget, reaching 56% and 74% respectively, and which reflects the worrying implementation of half of the programmed activities, and thus affects the good administrative and financial governance of the Organization and **CALLS** the AUC managers to enhance the implementation of planned programmes.

65. **ALSO DIRECTS** the Commission as follows:-

- a) Reprioritize its programmes in order to be in tandem with the changing priorities of the funding Partners and avoid inclusion of unfunded activities/programmes in the approved budget.
- b) Investigate and establish the main reasons as to why some Partners are not remitting funds to AUC as pledged and report back to the PRC through the Sub-Committee on Audit Matters by 31 March 2021.
- c) Should ensure that internal audit reports on budget performance of other AU Organs are submitted along with the report of the AUC.
- d) Should ensure that accountability for the loss resulting from the Administrative Tribunal case of Mr. Moctar Yedaly is established, and that the detailed report requested earlier by the Subcommittee on General Supervision and Coordination from the Office of the Legal Counsel (OLC) is submitted as directed by 31st March 2021.
- e) The Chairperson of the Commission should be advised of implications on appointments of staff to the Organization, particularly when the Chairperson has made changes to the recommendations of the Appointments, Promotions, Recruitments Oversight Board (APROB).

ON THE INTERNAL AUDIT REPORT ON RECRUITMENT PROCESS ON THE AFRICAN UNION COMMISSION (AUC) JANUARY 2016 TO JUNE 2019

66. **DIRECTS** the Commission as follows:

- a) Should ensure that all wrong recruitments mentioned in the report, as well as those which are being appealed by staff due to wrong recruitment processes followed are corrected accordingly for transparency and to avoid costs to the organization;
- b) Should ensure that the over payments made to the former Director of AHRM upon transfer to NEPAD is recovered;
- c) Should ensure that Staff Contracts in all AU Organs are revised with a view to indicate that the employment contract is between the staff and the Union, and not specific to any Organ;
- d) Verify all staff certificates and take corrective action as appropriate for any wrong doings and also put in place an effective consequence management system to ensure that sanctions are taken against staff found guilty of irregularities and violation of AU Rules and Regulations, after having followed due process;
- e) Should ensure that AU Recruitment policy is finalised as soon as possible to ensure that loopholes in the recruitment processes are closed including the use of automated system accessible by all Member States.

ON THE UPDATE FROM THE SECRETARIAT OF THE AU BOARD OF EXTERNAL AUDITORS ON THE 2019 FINANCIAL STATEMENTS AUDIT

67. **TAKES NOTE** of the delays noted in the audit of 2019 financial statements due to the challenges brought by the COVID 19 Pandemic.
68. **REQUESTS** the Commission to ensure that the presentation of the 2019 Financial Statements and the investigation report on the staff recruitment at the African Court on Human and People's Rights to the PRC through the Sub-Committee on Audit Matters is done before 31st March 2021 to enable the approval of the financial statements during the Executive Council meeting of June/July 2021.

ON THE INTERNAL AUDIT REPORT ON SALARY ARREARS VERIFICATION FOR THE PERIOD 2015 – 2017

69. **APPROVES** the outstanding shortfall on salary arrears of **\$1,292,692.43** broken down as follows:
 - i) **USD1,096,039.28 (Gap between approved and certified amounts)**
 - ii) **USD196, 653.15 (Amount for Special Service Contracts to be paid following Legal Opinion).**

70. **DIRECTS** the Commission as follows:

- a) Prepare a comprehensive report on reallocation of internal savings on all areas where the outstanding amount of salary arrears should be drawn from the approved 2020 budget;
- b) Implement the audit recommendations in the internal audit report of salary arrears to enhance effective management of personnel records.

ON THE REPORT FOR DETAILED ANALYSIS OF ALL SPECIAL FUNDS AND AU DORMANT SPECIAL FUNDS

71. **RECALLS** Executive Council decision **EX.CL/Dec.1073 (XXVI)** of February 2020.

72. **DIRECTS** the Commission as follows:

- a) Carryout further work on the reconciliation of dormant accounts and mandate all concerned departments to provide detailed information on the implementation of programmes under these special funds;
- b) Submit a detailed audited report by the Office of Internal Audit (OIA) on the current reconciled balances of the special dormant accounts which should also reflect balances audited by the Board of External Auditors in the 2019 Financial Statements by 31st March 2021.

IV. 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 FORENSIC AUDIT REPORT - Doc. EX.CL/1244(XXXVIII)

The Executive Council,

73. **TAKES NOTE** of the Report of the Joint Sitting of the PRC Sub-Committees on Audit Matters, PRC Sub-Committee on General Supervision and Coordination on the Administrative, Budgetary and Financial Matters, and Experts of the Committee of Fifteen Ministers of Finance (F15) and, **ENDORSES** the recommendations contained therein.

74. **RECALLS** Decisions EX.CL/Dec.1031(XXXV) and EX.CL/Dec.1057(XXXV) adopted at the Thirty Fourth and Thirty-Fifth Ordinary Sessions of the Executive Council, held respectively in January 2019 in Addis Ababa, Ethiopia, and in July 2019, in Niamey, Niger, which directed that an independent forensic and performance audit be carried out.

75. **EXPRESSES** its deep concern with the findings of the independent forensic and performance audit.
76. **DIRECTS** the AU Commission as follows:-
- a) to take immediate disciplinary action, in line with the Staff Regulations and Rules, against staff identified and mentioned in the Price Waterhouse Coopers (PWC) Report as responsible for breaking the rules and regulations of the Union;
 - b) The Chairperson of the AU Commission will report on the implementation of recommendations of the forensic audit to the Executive Council during its 39th Ordinary Session in June/July 2021. This report should include clear timelines and deadlines for the measures taken by the Commission in connection with the implementation of the Forensic Audit;
 - c) 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.
77. **RECALLS** Executive Council Decision EX.CL/Dec.1031(XXXIV) paragraph 32 and **CALLS UPON** the AU Commission and other AU Organs to strictly adhere to the African Union Staff Rules and Regulations, Financial Rules and Regulations, Administrative Policies and Guidelines, and Other Policy Organ's decisions in the utilization and management of the Union Resources, failure to which sanctions and or disciplinary actions shall be taken against management and staff responsible.
78. **DECIDES** that the recommendations contained in the PWC report form an integral part of this decision and **FURTHER DIRECTS** the Commission to implement all the recommendations of PwC Report on the Forensic and Performance Audit of AUC without further delay, including sanctions on staff for irregularities and non-compliance of various AU Rules and Regulations and **URGES** all parties concerned to ensure their effective implementation.
79. **DIRECTS** that an independent forensic and performance audit also be extended to other AU Organs covering the period 2014 to 2020 and based on the new tendering and procurement processes.

V. THE SUB-COMMITTEE ON MULTILATERAL COOPERATION – Doc. EX.CL/1245(XXXVIII)

A. On General issues

The Executive Council,

- (i). **REQUESTS** the PRC in close collaboration with the Commission, AUDA-NEPAD, the Regional Economic Communities (RECs) and the Groups of African Ambassadors in Partner Countries, to finalize the development of the Draft Partnership Strategy and Policy Framework document for submission to the Executive Council in February 2022.
- (ii). **FURTHER REQUESTS** the PRC to ensure that the Commission prepares a comprehensive road map with specific timeline, during the first quarter of 2021, for the development and finalization of the Partnership Strategy and Policy Framework.
- (iii). **RECALLS** Executive Council Decision No.: EX.CL/Dec.1073(XXXVI), of February 2020, which states as follows: “Instructs the PRC to ensure that each Partnership Summit adopts a Declaration and an Action Plan and that preparatory processes for any Statutory Partnership meeting begins three (3) months in advance of the meeting date”.
- (iv). **ALSO RECALLS** Executive Council Decision No.: EX.CL/Dec.899(XXVIII), paragraph 18, of January 2016, which “decided that the PRC will take the lead in representing Africa before the Partners, while soliciting the views of the African Groups of Ambassadors accredited to the Partners concerned.”
- (v). **APPROVES** the criteria for hosting partnerships Summits, Meetings and Events as annexed to this decision and **REQUESTS** the PRC in collaboration with the Commission to ensure its implementation.

B. On Partnerships Summits and Meetings

80. In consideration of the COVID-19 Pandemic, as a Force Majeure, which disrupted various programmes and events scheduled for 2020, of which some of the scheduled Partnerships Summits were affected, leading to the need to postpone them to 2021, the Executive Council, in line with decision EX.CL/Dec.899 (XXVIII), of January 2016 decides to:
- (i). **TAKE NOTE** of the postponement of Partnership Summits, namely the 6th European Union (EU) – African Union (AU) Summit and the 5th Arab-Africa Summit initially scheduled for 2020, due to the COVID-19 Pandemic;
 - (ii). **RECALL** Executive Council Decision No.: EX.CL/Dec.899 (XXVIII), of January 2016, which approved a five (5) year cycle and to organize two (2) partnership Summits per year;

- (iii). **REQUEST** the Chairperson of the Commission, to undertake consultations with Partners and Member States designated to host partnerships Summits in order to make proposals on the Partnerships Summits which may be held in 2021, and to report to Member States, on the outcomes of the said consultations, taking into consideration the improvement in public health conditions caused by the COVID-19 pandemic and in line with Decision EX.CL/Dec.899 (XXVIII), of January 2016.

C. On Specific Partnerships

81. Subject to the outcomes of the consultations undertaken by the Chairperson of the Commission as indicated in the above-paragraph B.3, the Executive Council:

On AU-EU Partnership

- (i). **REQUESTS** the PRC in close collaboration with the Commission to agree with the EU on a suitable date for the 2nd AU-EU Ministerial Meeting to be held in 2021, in Kigali, Rwanda, subject to improvement in public health conditions caused by the COVID-19 pandemic and in accordance with the relevant decisions on the organization of AU partnership meetings.
- (ii). **FURTHER REQUESTS** the PRC to commence the preparatory processes of the above-mentioned Meetings and invite the Commission to avail to Member States all relevant documents in this regard.

On Africa – Arab Partnership

TAKES NOTE of the work undertaken by the AU with regard to the development of the AU priorities as well as the proposals of draft working documents for the 5th Africa – Arab Summit.

On Africa – India Partnership

REQUESTS the PRC in close collaboration with the Commission, the African Diplomatic Corps in New Delhi, India to join efforts for the strengthening of Joint Monitoring and Evaluation mechanisms of the Africa-India Partnership through regular consultations and engagements.

On Africa-Turkey Partnership

RECALLS Assembly Decision No.: Assembly/AU/Dec.762 (XXXIII), taken during the 33rd Ordinary Session of the Assembly of the Union, held on 9-10 February 2020, in Addis Ababa, Ethiopia, which “directed the PRC in

close collaboration with the Commission and Turkey to propose new dates starting in 2021, for the hosting of the 3rd Africa-Turkey Summit, in line with Executive Council Decision EX.CL/Dec.899 (XXVIII)Rev.2, paragraph 209 of January 2016”.

On Tokyo International Conference on African Development (TICAD)

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- (i). **UNDERScores** the importance of TICAD in the development processes of Africa and to emphasize on the need to strengthen the African Union’s role in the TICAD process, as follows:
- a) The full involvement of AU in the TICAD process as well as recognition of its important role in defining the priority areas of an appropriate Plan of Action including a timeline for implementation and also to have pragmatic approaches to ensure a balanced role of all stakeholders involved;
 - b) Strengthening alignment of the TICAD process to systemic changes in Africa as defined notably, through the AU’s integration agenda, which emphasizes engagement at the regional and continental levels, in order to satisfactorily contribute to the AU Agenda 2063.
- (ii). **INDICATES** the African Union’s position on the need to finalize the 2019 Yokohama Action Plan while ensuring that the African Union interests are well accommodated.
- (iii). **REITERATES** the African Union’s availability to ensure a smooth and successful preparatory process for the upcoming TICAD 8 Summit, in Tunisia, in 2022.
- (iv). **ENDORSES** the second half of 2021 for the holding in Japan of the Ministerial Meeting in order to follow-up TICAD 7 and to start the preparatory process of TICAD VIII, at a date to be determined, in consultation with Japan, subject to improvement in Public health conditions caused by the COVID-19 pandemic and if necessary to explore the possibility of holding the said Ministerial Meeting by virtual means after consultations with Japan.
- (v). **DIRECTS** the Commission to develop and circulate the working documents for the meeting in a timely manner.

On Africa - Korea Partnership

- (i). **APPROVES** the holding of the 5th Africa–Korea Ministerial Forum during the first or second week of November 2021, in Seoul, Korea, subject to improvement in public health conditions caused by the COVID-19

pandemic and if necessary to explore the possibility of holding the said Ministerial Meeting by virtual means after consultations with Korea.

- (ii). **DIRECTS** the Commission to develop and circulate the working documents for the meeting in a timely manner.

On Forum on China-Africa Cooperation (FOCAC)

- (i). **REQUESTS** the PRC in close collaboration with the Commission, the African Diplomatic Corps in Beijing, China, and the host country of the 8th FOCAC Ministerial Conference (Senegal), to start the preparatory process for the 8th FOCAC Ministerial Conference to be held in 2021, in Dakar, Senegal, subject to improvement in Public health conditions caused by the COVID-19 pandemic.

VI. SUB-COMMITTEE ON SPECIAL EMERGENCY FUNDS FOR DROUGHT AND FAMINE - Doc. EX.CL/1247(XXXVIII)

The Executive Council,

- 82. TAKES NOTE** of the Report of the Sub-Committee on Special Emergency Assistance Fund for Drought and Famine in Africa.
- 83. RECALLS** its previous decision EX.CL/Dec.968 (xxx) that requests the Commission in collaboration with the PRC and its Sub-Committee on SEAF, to convene a Pledging Conference to raise resources to replenish the Fund.
- 84. NOTES** the depletion of the fund and its adverse effect on the Sub-Committee's ability to fully execute its mandate.
- 85. NOTES WITH CONCERN** the dire humanitarian crises that have affected the continent in 2020 compounded by the COVID-19 pandemic and **CALLS ON** Member States to urgently provide financial support for sustaining the Fund to enable the relief, through the Fund, of African populations facing drought, undernourishment, famine and the threat caused by COVID-19 pandemic on food security in Africa.
- 86. REQUESTS** the Commission, in collaboration with the PRC, to:
- a)** Sensitize the Member States on the statute of the Fund and the need to replenish it without delay in order to respond to the dire threat caused by the coronavirus pandemic on food security in Africa and other calamities such as the Locust infestation.
 - b)** Continue to raise awareness in 2021 on the effects of locust infestation in Africa, particularly its humanitarian impact in East Africa and other regions

of the continent.

- c) Expedite the organization of a humanitarian summit and donor's/pledging conference during the second half of 2021 aimed at replenishing the fund for its sustainability, which should also consider the impact of COVID-19 on food security in Africa.
- d) Coordinate the AU humanitarian action against drought and famine in close collaboration with the Africa Risk Capacity (ARC).
- e) Take into account the working method introduced by the AU to counter the spread of COVID-19 as well as to save cost as directed by the Executive Council EXCL/DEC/1097(XXXVII), the Committee needs to make use of virtual platforms to conduct the planned retreat, solidarity mission and other activities as necessary.

**VII. SUB-COMMITTEE ON HUMAN RIGHTS, DEMOCRACY AND GOVERNANCE -
Doc. EX.CL/1279(XXXVIII)**

The Executive Council,

- 87. TAKES NOTE** of the Report of the Activities of the PRC Sub-Committee on Human Rights, Democracy and Governance (HRDG) for the period, January-December 2020.
- 88. REQUESTS** the PRC to continue its engagement with the AU Organs and Institutions with Human Rights and Governance mandate with a view to enhancing coordination and collaboration, especially in enhancing the synergy between the African Governance Architecture and the African Peace and Security Architecture (APSA).
- 89. URGES** the Commission, working in collaboration with the PRC, to submit the AU Guidelines on Elections during COVID-19 and Other Public Health Emergencies for consideration and adoption during the second quarter of 2021.

**DECISION ON THE REPORTS OF THE SPECIALISED
TECHNICAL COMMITTEES (STCs)**

The Executive Council,

1. **TAKES NOTE** of the Reports of the Specialized Technical Committees (STCs) and other Ministerial Meetings.
2. **RECALLS** Decision EX.CL/Dec.1032(XXXIV), adopted at the 34th Ordinary Session of the Executive Council, held in Addis Ababa, Ethiopia, in February 2019, regarding the moratorium on the creation of new bodies and offices.
3. **STRESSES** that the following Decisions should not bear any financial, legal and structural implications to the AU 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 AU policy Organs through the due process.
4. **REQUESTS** that all STCs adopt their Reports at the end of their meetings.
 - I. **The 1st Extraordinary Virtual Session of the STC on Education, Science and Technology, 30 April 2020 - EX.CL/1248(XXXVIII)**

The Executive Council,

5. **WELCOMES** the convening of the 1st Extra Ordinary virtual Session of the STC on Education, Science and Technology (ESTI) on 30 April 2020.
6. **TAKES NOTE** of the Report, ESTI response and declaration to Covid-19 and the recommendations contained therein, as annexed.
 - II. **The 13th Ordinary Session of the AU STC on Defense, Safety and Security, 5 November 2020 - EX.CL/1249(XXXVIII)**

The Executive Council,

7. **WELCOMES** the convening of the virtual 13th Ordinary Session of the Specialized Technical Committee on Defense, Safety and Security (STCDSS), from 2 to 5 November 2020.
8. **TAKES NOTE** of the Declaration of the 13th Ordinary Session of the STCDSS and the outcomes contained therein, as annexed.

9. **REQUESTS** the Commission, working with Member States and with the Regional Economic Communities (RECs) and the Regional Mechanisms (RMs), to follow up on the activities outlined in the Declaration.

III. The 1st Extraordinary Session of the STC on Finance, Monetary Affairs, Economic Planning and Integration, 1-4 December 2020, Addis Ababa, Ethiopia - EX.CL/1250(XXXVIII)

The Executive Council,

10. **WELCOMES** the convening of the virtual 1st Extra-Ordinary Session of the STC on Finance, Monetary Affairs, Economic Planning and Integration from 1 to 4 December 2020.

11. **TAKES NOTE** of the Report and the Declaration of the 1st Extra-Ordinary Session of the STC on Finance, Monetary Affairs, Economic Planning and Integration and the outcomes contained therein, as annexed.

12. **APPEALS to** Member States to reach a consensus on the current global debate on taxing the digital economy and Base Erosion and Profit Shifting (BEPS) issues and speak with a unified voice and amplify the Common African Position.

IV. The 5th Ordinary Session of the STC on Gender Equality and Women's Empowerment, 23-27 November 2020, Addis Ababa, Ethiopia - EX.CL/1251(XXXVIII)

13. **WELCOMES** the convening of the virtual 5th Specialized Technical Committee on Gender Equality and Women's Empowerment held on 23, 24 and 27 November 2020.

14. **TAKES NOTE** of the Report of the 5th STC on Gender equality and Women empowerment and the recommendations contained therein.

15. **ENCOURAGES** Member States who have not yet done so to sign and ratify the Maputo Protocol on Women's Rights and the Solemn Declaration on Gender Equality in Africa to protect women and girls from all forms of discrimination and gender-based violence against women and girls.

16. **DIRECTS** the PRC to re-examine the outcomes of the 5th Ordinary Session of the STC on Gender Equality and Women's Empowerment specifically on:

- a) The AU Convention on Ending Violence Against Women and Girls for adoption by AU Policy Organs;

- b) Convening of a Peace Forum for Africa, led by Women and supported and attended by African Heads of State and Government to explore peaceful avenues for conflict resolution and enhance the role of women in advancing the achievement of sustainable peace in Africa; and
- c) 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.

V. Decision on the Report of the STC on Transport, Transcontinental and Interregional Infrastructure, Energy and Tourism - EX.CL/1252(XXXVIII)

The Executive Council,

17. **WELCOMES** the convening of the 1st Extraordinary Session of the STC on Transport, Transcontinental and Interregional Infrastructure, Energy and Tourism (STC-TTIET), in Cairo, Arab Republic of Egypt, held virtually on 12 January 2021.
18. **TAKES NOTE** of the Report and Declaration of the 1st Extraordinary Session of the STC-TTIET and the outcomes contained therein, as annexed.
19. **DIRECTS** the Commission in collaboration with relevant AU bodies and stakeholders to promote the implementation of the recommendations of the Declaration.
20. **ENDORSES** the PIDA PAP II priority list of projects, while **REQUESTING** the Commission to submit the projects n°819, 872, 1061 and 1073 to an Ad Hoc Sub-Committee of the PRC for further consultations with the concerned Member States and to report on the matter to the 39th Executive Council meeting in July 2021.

**DECISION ON THE REPORT OF THE COMMISSION ON THE HUMANITARIAN
SITUATION IN AFRICA – Doc. EX.CL/1255(XXXVIII)**

The Executive Council,

1. **TAKES NOTE** of the Report of the African Union Commission on the Humanitarian Situation in Africa, January-December 2020 and the recommendations contained therein.
2. **EXPRESSES CONCERN** at the growing number of Refugees and Internally Displaced Persons (IDPs) in Africa displaced by, inter alia, conflicts, natural disaster, terrorism, effects of climate change despite the declaration of 2020 as the year of **silencing the guns: creating conducive conditions for Africa's development**; while noting the devastating effect of the COVID-19 pandemic to the humanitarian situation of Refugees and IDPs and seems poised to present a continued challenge in 2021.
3. **NOTES WITH CONCERN** the impact of sanctions in worsening the socio-economic conditions in countries that are already experiencing dire humanitarian situations.”
4. **DECIDES AS FOLLOWS:**
 - a. **ENCOURAGES** all Member States that have not yet signed or ratified the 1969 OAU Convention and the 2009 Kampala Convention to do so, and those that have ratified these instruments are urged to fully incorporate them into domestic laws and policies to allow for their effective implementation at the national and local levels.
 - b. **APPEALS** to Member States and local authorities to support the full participation of refugees, IDPs, representatives of host communities and other affected populations in all relevant process and decisions specifically those related to national responses related to the COVID-19 pandemic.
 - c. **REAFFIRMS** the clarion call made both the United Nations Secretary General, H.E. Antonio Guterres and the AUC Chairperson, H.E. Moussa Faki Mahama for a global ceasefire in order to give peace a chance and earmark scarce resources to the noble fight against COVID-19 as this initiative is in line with the AU theme for 2020 on **silencing the guns and creating conducive conditions for Africa's development**.
 - d. **ENCOURAGES** Member States to develop national mechanisms on data collection on forced displacement involving refugees, returnees and internally displaced persons, ensuring the full participation of women and the youth, given the centrality of data for better planning and effective policy response to humanitarian crisis situation.

- e. **REQUESTS** the Commission to finalise and submit the draft statute, financial and structural implications of the operationalization of the African Humanitarian Agency (AHA) to the relevant decision-making organs of the Union for appropriate action, considering the importance and central role of the AHA as a key pillar to strengthen the coordination of humanitarian action on the continent and underlining the need to ensure that the Agency is fully funded by Africa's own resources.
- f. **URGES** donors and international partners to ensure the availability of adequate, flexible and predictable funding to help address the unprecedented needs of refugees and internally displaced persons in Africa and to ensure multi-year, flexible funding that transcends the humanitarian-development divide. More efforts should be exerted to fully utilize the unexploited opportunities of mobilization of resources from the private sector in Africa.
- g. **FURTHER ENCOURAGES** Member States to ensure that the efforts being deployed by governments go beyond addressing the immediate healthcare challenges caused by the COVID-19 pandemic to also comprehensively address the broader socio-economic impacts of the pandemic that include effects of natural disasters and climate change, endemic poverty and hunger, unemployment, social inequalities, lack of clean water, proper shelter and sanitation, urban slums and informal settlements, as well as food insecurity.
- h. **FURTHER CALLS ON** Member States should ensure that displaced persons, returnees, host communities and migrants are included in health responses (including hygiene, provision of health information, prevention, testing, tracing and provision of Personal Protective Equipment, treatment etc.
- i. **FURTHER URGES** Member States to intensify their efforts towards provision of basic services such as healthcare, food and nutrition as well as clean water and sanitation, especially to vulnerable groups including displaced persons, returnees, host communities and migrants, in putting in place social protection mechanisms and social safety nets programmes in order to address the impact of the COVID-19 pandemic.
- j. **APPEALS** to international development partners, United Nations Agencies and civil society organisations to explore other practical means, including using local capacities and virtual means to ensure the continuity of social services, especially education, provided to refugees IDPs, returnees, host communities and migrants, in light of current temporary closure of schools and universities in affected Member States in their efforts to contain the spread of the COVID-19.

- k. **WELCOMES** the offer made by the Republic of Equatorial Guinea to organize a continental humanitarian summit and donor's/pledging conference in Equatorial Guinea with the view to preventing forced displacement and searching for solutions and calls on the Commission to extend the necessary support taking into account health protocol issued by Africa CDC.



**DECISION ON THE REPORT ON THE AFRICAN UNION
RESPONSE ON COVID-19 PANDEMIC IN AFRICA – Doc. EX.CL/1256(XXXVIII)**

The Executive Council,

1. **TAKES NOTE** of the Commission report on COVID-19 Vaccine Financing Strategy and the recommendations therein.
2. **COMMENDS** the Chairperson of the African Union, H.E Matamela Cyril Ramaphosa of the Republic of South Africa for his leadership in guiding the COVID-19 response in Africa including the work of the African Vaccine Acquisition Task Team (AVATT).
3. **EXPRESSES** deep appreciation for the work of the Commissioner of Social Affairs, Mrs. Amira Elfadil, and the Director of the African Centre for Disease Control and Prevention, Dr John Nkengasong, for their excellent efforts in assisting the continent to respond positively to the Covid-19 pandemic.
4. **EXPRESSES CONCERN** on the need for equity and timely access to the COVID-19 vaccine for AU Member States which will require additional mechanisms to ensure at least 60% of the continent's population is vaccinated.
5. **FURTHER EXPRESSES CONCERN** of the COVID-19 pandemic that has exposed existing health challenges, associated challenges of medical regulatory systems in Africa, compounded by sanctions targeted on some African countries, that affect the prospects of achieving the that affect the prospects of achieving the aspirations of Agenda 2063 on universal access to quality medicines, medical products and technologies; **RECOGNIZES** the progress that has been made in the signing and ratification of the Treaty for the Establishment of the African Medicine Agency (AMA) by AU Member States.
6. **FURTHER TAKES NOTE WITH APPRECIATION** the support of the Honorable Michel Sidibe, former Minister of Health and Social Affairs of the Republic of Mali for the continued advocacy to mobilize member states to sign and ratify the African Medicines Agency (AMA) Treaty; and **REQUESTS** the Commission to nominate an African Union Special Envoy for the AMA with no financial or legal implications to the African Union.
7. **ACKNOWLEDGES and SUPPORTS** the COVAX initiative which will support the delivery of vaccines to cover 20% of the continent's population and urges international support for this important initiative.

8. **REQUESTS** Afreximbank to urgently put in place financing mechanisms and instruments to enable the attainment of the target of vaccinating 60% of the continent's population and to support post COVID-19 economic recovery, including through the implementation of the African Continental Free Trade Agreement (AfCFTA).
9. **TAKES NOTE** of the recommendation for a general capital increase for Afreximbank by all States parties, up to an amount sufficient to meet the intended purposes, from all internal and external resources.
10. **REQUESTS** Afreximbank to co-ordinate closely with the Africa CDC, the AU Special Envoys, Regional Economic Communities (RECs), Ministers of Finance and Ministers of Health of Member States and other key stakeholders in implementing these recommendations.
11. **TAKES NOTE** of the World Bank Initiative and Encourages Member States to expedite implementation in co-ordination with the Africa CDC.
12. **NOTES WITH CONCERN** the impact of sanctions on affected Member States' ability to respond to the fight against the COVID-19 pandemic.
13. **RECOGNISING FURTHER** the need for universal, equitable and timely access to affordable medical products including diagnostic kits, vaccines, personal protective equipment and ventilators for a rapid and effective response to the COVID-19 pandemic.
14. **NOTING** that, in light of the foregoing, exceptional circumstances exist justifying a waiver from the obligations of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement) specifically for the prevention, containment and treatment of COVID-19.
15. **DECIDES** to support the proposed WTO Waiver from certain provisions of the (TRIPS Agreement) for the Prevention, Containment and Treatment of COVID-19 as contained in WTO document IP/C/W/669.
16. **RECALLING** Assembly/AU/Dec.499(XXII) on the establishment of an African Centre for Disease Control and Prevention, and EX.CL/Dec.913(XXVIII) requesting the Commission to expedite the operationalization of the AfCDC.
17. **FURTHER RECALLING** the recent Executive Council Decision 1106 (XXXVII) taken in October 2020; that requests 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 African Centre for Disease

Control and Prevention in line with its Statute, for submission to the 38th Ordinary Session of the Executive Council through AU Policy Organs.;

18. **DEEPLY CONCERNED** that the report has not been submitted as requested, and that this delay in the full operationalization of the African Centre for Disease Control and Prevention will have serious negative consequences in the ability of the Continent to continue to responding effectively to the Covid-19 pandemic.
19. **INSTRUCTS** the Commission to produce the report, including a Road Map and Framework of Operations, outlining the financial, legal and structural implications to fully operationalize the African Centre for Disease Control and Prevention in line with its Statute, for the consideration of the Permanent Representatives' Committee, by the end of February 2021 based on the Decision EX.CL/Dec.1106(XXXVII), in order for the report to be submitted to the 39th Ordinary session of the Executive Council.
20. **RECALLING** Executive Council Decision 1106 (XXXVII) taken in October 2020 that WELCOMES the appointment of the AU COVID-19 Response Fund Board of Trustees that advises the Chairperson of the Commission on oversight, management and disbursement of funds, **INSTRUCTS** the AU Commission to produce a report that details the funds received into, and the disbursements from, the Fund, including the associated costs, for the consideration of the Permanent Representatives' Committee, by the end of February 2021.
21. **REQUESTS** the Commission to present the report on details of the funds received into, and the disbursements from, the Fund of Africa CDC to the 39th Ordinary Session of the Executive Council in July 2021.

DECISION ON THE ACTIVITY REPORT OF THE AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS AND WELFARE OF THE CHILD (ACERWC) –

Doc. EX.CL/1257(XXXVIII)

The Executive Council,

1. **TAKES NOTES** of the Report of the African Committee of Experts on the Rights and Welfare of the Child.
2. **COMMENDS** the Committee for the work done in monitoring the implementation of the African Charter on the Rights and Welfare of the Child and thanks all those members whose terms of office ends in February 2021 for serving the Committee with dedication and loyalty.
3. **APPRECIATES** Member States for the measures they have undertaken in commemorating the 30th Anniversary of the African Children's Charter.
4. **ENCOURAGES** Member States to assess the implementation of the Charter at country level; undertake legislative audits to harmonize national laws and policies with the provisions of the African Children's Charter and ensure the existence of functional institutions for protection of children's rights and implement the recommendations and decisions of the ACERWC.
5. **TAKES NOTE** of the ACERWC's Guiding Note on COVID-19 and its implication on Children's Rights and Welfare; and **RECOMMENDS** Member States to: establish child friendly information and communication procedures in the fight against Covid-19; ensure the continuity of every child's right to education, provisions of essential services and parental care and protection for all children in their territory; and guarantee that post COVID-19 national recovery plans embed the four cardinal principles of child rights at the center namely: survival, life and development, non-discrimination, best interests of the child and child participation.
6. **CONGRATULATES** the Democratic Republic of Congo for ratifying the African Charter on the Rights and Welfare of the Child; and **URGES** Member States that have not yet ratified the African Children's Charter, to consider ratifying the Charter.
7. **APPRECIATES** State Parties which have submitted their reports on the implementation of the African Children's Charter; and **URGES** those which have not yet reported to the Committee to comply with their reporting obligations.
8. **ENCOURAGES** State Parties that have entered reservation on the provisions of the African Children's Charter to consider withdrawing the same.

9. **APPRECIATES** the Republic of Kenya for submitting its Periodic Report on the implementation of the African Children's Charter, and **ENCOURAGES** the same to work towards the full implementation of the ACERWC's Concluding Observations and Recommendations.
10. **ADOPTS** the theme for the Day of the African Child (DAC) 2022 to be on: 'Eliminating Harmful Practices Affecting Children: Progress on Policy and Practice since 2013' and **REQUESTS** Member States to commemorate the DAC and report on the implementation of the recommendations of the Committee.
11. **TAKES NOTE** of the ACERWC's report on the assessment of the status of implementation of Africa's Agenda for Children (Agenda 2040); and **ENCOURAGES** Member States to work towards full implementation of the Aspirations within Agenda 2040.
12. **TAKES NOTE** of the ACERWC's General Comment on Article 22 of the African Charter on the Rights and Welfare of the Child regarding Children in situations of Conflicts, tension and strife, and **ENCOURAGES** Member States to make use of it as a tool for normative guidance.
13. **TAKES NOTE** of the ACERWC's assessment on the responses of the African Union and its mechanisms to matters of children in conflict situation, and **ENCOURAGES** the AUC, the APSA pillars and mechanisms to implement the recommendations, and ensure integration of child protection within their policies and activities.
14. **TAKES NOTE** of the establishment of the ACERWC's Working Groups on the implementation of the decisions; Working Group on children's rights and climate change; Working Group on children's rights and business; and Working Group on children with disability; and **ENCOURAGES** Member States to support and cooperate with the mandate and activities of these Offices.
15. **CONGRATULATES** the Kingdom of Lesotho and the AUC for signing the host agreement and ensuring the relocation of the Secretariat of the ACERWC.
16. **ENCOURAGES** the host Country to continue providing the required support pursuant to the host agreement; and **CALLS ON** the AUC to finalize the recruitment of staff and transfer of resources for the smooth operation of the newly established Office in Maseru, the Kingdom of Lesotho.

DECISION ON THE ACTIVITY REPORT OF THE AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS (AfCHPR) – Doc. EX.CL/1258(XXXVIII)

The Executive Council,

1. **TAKES NOTE** of the Activity Report of the African Court on Human and Peoples' Rights (the Court) for the period 1 January to 31 December 2020.
2. **NOTES** that 2021 marks the 15th Anniversary of the operationalization of the African Court on Human and Peoples' Rights, and **COMMENDS** the Court for the excellent contribution it has made in the protection of human rights and the development of an African human rights jurisprudence since its operationalization.
3. **INVITES** Member States and other human rights stakeholders on the continent, in association with the Commission and the PRC, and in collaboration with the Court, to take the opportunity of this commemoration to engage in frank and constructive discussion on the mandate and work of the Court with a view to strengthening it and enhancing the protection of human rights on the continent.
4. **CALLS ON** the Commission and the PRC to provide the Court with the necessary resources to enable it effectively discharge its mandate.
5. **REITERATES** its decision for the Commission to expedite the processes of organizing the Joint Retreat between the PRC and Legal, Judicial and Legislative Organs of the Union and ensure the said retreat is held before June 2021, with a view to considering the reform proposals for the said Organs.
6. **NOTES** that over two decades after its adoption, only thirty (30) Member States of the African Union have ratified the Protocol and only six (6) of the 30 State Parties, have deposited the declaration required under Article 34 (6) thereof, allowing individuals and NGOs to bring cases directly to the Court.
7. **CONGRATULATES** the thirty (30) State Parties to the Protocol, namely; Algeria, Benin, Burkina Faso, Burundi, Cameroon, Chad, Côte d'Ivoire, The Comoros, Congo, Gabon, The Gambia, Ghana, Kenya, Libya, Lesotho, Mali, Malawi, Mozambique, Mauritania, Mauritius, Nigeria, Niger, Rwanda, South Africa, Sahrawi Arab Democratic Republic, Senegal, Tanzania, Togo, Tunisia and Uganda.
8. **FURTHER CONGRATULATES** the six (6) State Parties that have deposited the declaration under Article 34(6) of the Protocol, namely: Burkina Faso, Ghana, Malawi, Mali, The Gambia and Tunisia.

9. **INVITES** those Member States that have not already done so, to accede to the Protocol and deposit the Declaration required under Article 34 (6) of the Protocol, and urges those States that withdrew their Declarations to reconsider their decisions.
10. **URGES** the Chairperson of the AUC, in accordance with previous Executive Council Decisions, to take all necessary measures to operationalize the Legal Aid Fund, and to this end, **INVITES** and **ENCOURAGES** all Member States of the Union, to make generous voluntary contributions to the Fund to ensure its sustainability and success.
11. **EXPRESSES ITS APPRECIATION** to the Government of the United Republic of Tanzania for the facilities it has placed at the disposal of the Court, and for the architectural designs for the construction of the permanent premises of the Court submitted to the AUC, and **URGES** the Government of the United Republic of Tanzania, the PRC and the African Union Commission, in collaboration with the Court, working under the framework of the Task Force established by decision EX.CL/Dec.994(XXXII), to take steps to ensure the expeditious construction of the premises, bearing in mind the structures of the African Court of Justice and Human and Peoples' Rights.
12. **REQUESTS** the Court, in collaboration with the PRC and the AUC, to report at the next Ordinary Session of the Executive Council in June/July 2021, on the implementation of this Decision.



**DECISION ON THE ACTIVITY REPORT OF THE AFRICAN COMMISSION ON
HUMAN AND PEOPLES' RIGHTS (ACHPR) – Doc. EX.CL/1259(XXXVIII)**

The Executive Council,

1. **TAKES NOTE** of the Combined Forty-Eighth (48th) and Forty-Ninth (49th) Activity Report of the African Commission on Human and Peoples' Rights (the ACHPR).
2. **NOTES** the ACHPR's Resolution 449 as useful guidance to make respect for human rights the basis for the response to and recovery from the impacts of the COVID-19 pandemic at State and continental levels, and **CALLS ON** States to make use of the guidelines in Resolution 449 to guarantee success in their response to the governance and socio-economic impacts of the pandemic.
3. **WELCOMES** the ratification by Somalia of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (the Kampala Convention) during the reporting period and **REITERATES ITS CALL** to those State Parties that have not done so, to consider, sign and ratify the Kampala Protocol, as well as the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol), the Protocol to the African Charter on Human and Peoples' Rights on the Rights of 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 the Protocol to the Treaty Establishing the African Economic Community relating to Free Movement of Persons, Right of Residence and Right of Establishment.
4. **URGES** State Parties that have not submitted their reports to submit their Periodic Reports in compliance with Article 62 of the African Charter on Human and Peoples' Rights (African Charter), Article 26(1) of the Maputo Protocol and Article 14(4) of the Kampala Convention.
5. **NOTES** the growing collaboration between the ACHPR and the AU PSC in line with the Protocol establishing the PSC with the holding of the second consultative meeting between the two bodies, and the ACHPR's decision towards mainstreaming human rights in all phases of the conflict cycle from prevention to post-conflict situations in Africa as envisaged in the ACHPR's Study on Addressing Human Rights issues in Conflict Situations.
6. **REITERATES ITS CALL** in **Decision EX.CL/Dec.995(XXXII)** of January 2018, for the Kingdom of Morocco to accede to the African Charter.
7. **ENCOURAGES** the Kingdom of Morocco and the ACHPR to engage in a dialogue, towards facilitating the conduct of the fact-finding mission to the territory referred to by the African Union as the Sahrawi Arab Democratic Republic and the United Nations as Western Sahara, as mandated by **Decision EX.CL/Dec.689(XX)**.

8. **CALLS ON** State Parties to comply with requests for Provisional Measures, to implement decisions made by the ACHPR in Communications to which they are parties, and to inform the ACHPR of the measures taken to implement those Decisions in line with Rule 112 of the ACHPR's Rules of Procedure.
9. **ACKNOWLEDGES** the commitment of the Republic of the Gambia to construct the permanent headquarters of the ACHPR, and **REITERATES** its call on the AUC to utilize funds lying dormant in the reserve funds of the African Union to this end.
10. **WELCOMES** the confirmation by the Republic of Rwanda to host the 69th Ordinary Session of the ACHPR in 2021, and invites other States to host the Ordinary Sessions of the ACHPR. and
11. **AUTHORIZES** the publication of the Combined 48th and 49th Activity Report of the ACHPR; and in that regard **REQUESTS** State Parties, if they so wish, to submit, within fourteen (14) days of the date of closure of the Executive Council Session at which this Decision is adopted, their written observations on the Activity Report, to be annexed thereto upon its publication.



DECISION ON THE ACTIVITY REPORT OF THE AFRICAN UNION ADVISORY BOARD ON CORRUPTION (AUABC) – Doc. EX.CL/1260(XXXVIII)

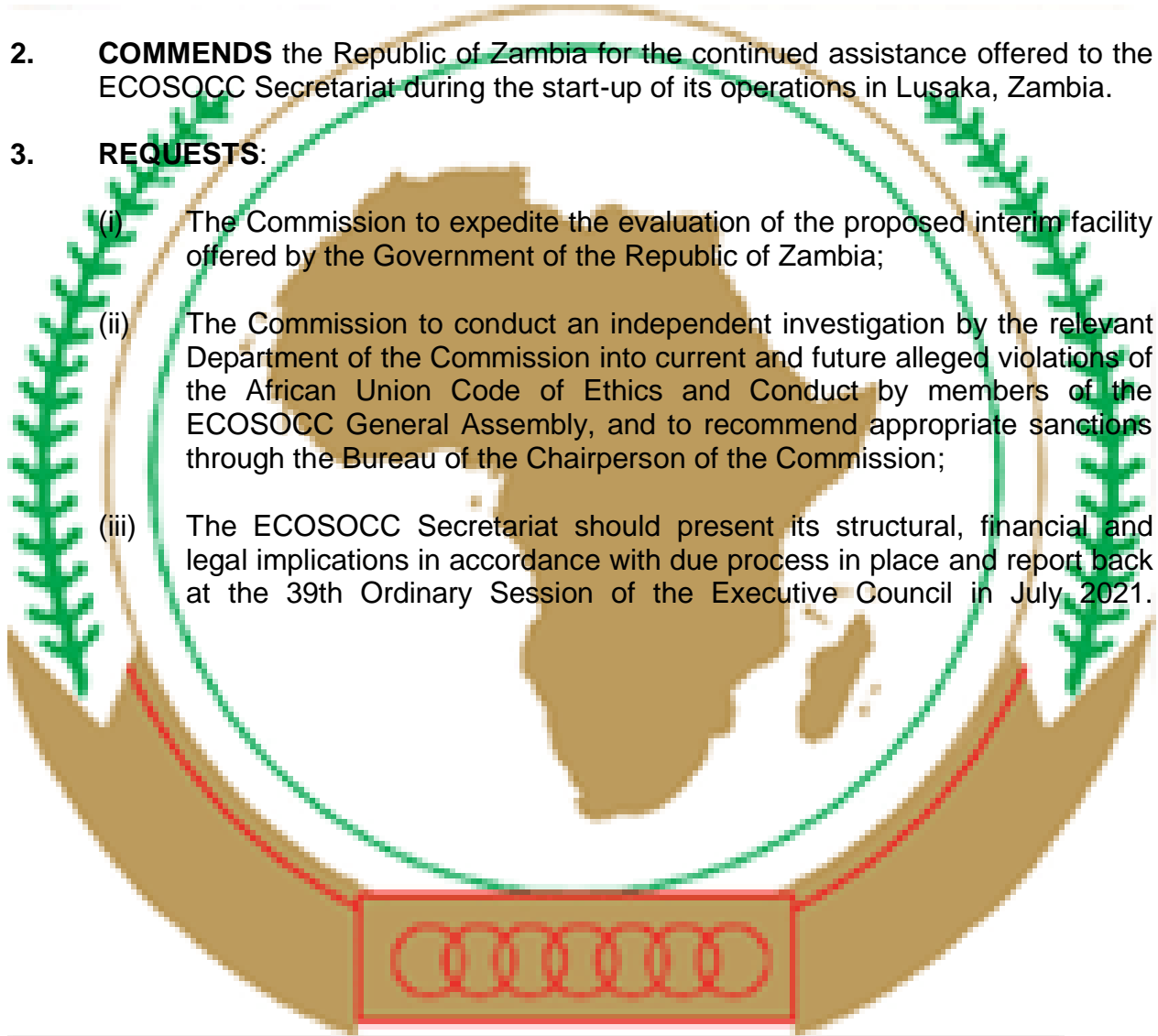
The Executive Council,

1. **TAKES NOTE** of the Report of the African Union Advisory Board on Corruption and the recommendations contained therein.
2. **COMMENDS** Tunisia for acceding to the African Union Convention on Preventing and Combating Corruption (AUCPCC).
3. **URGES** Cameroon to take necessary measures to complete the accession process by depositing its instrument of accession with the African Union Commission.
4. **NOTES** the successful completion of the review of Rwanda and requests authorities to implement the recommendations contained in the State Review Report.
5. **URGES** Member States to implement the recommendations to enhance efficiency of effectiveness of justice systems in the fight against corruption. In particular calls on Member States to develop clear and independent processes for the selection, appointment and discipline of judicial officers and implementing measures to ensure expeditious delivery of justice in economic crime cases including through specialized courts, imposing time limits on the hearing and determination of cases as measures to strengthen public trust in justice systems.
6. **ENDORSES** the theme for the 2021 African Anti-Corruption Day as “Regional Economic Communities: Critical Actors in the Implementation of the African Union Convention on Preventing and Combating Corruption”.
7. **REQUESTS** Tanzania to finalize the architectural drawings of the proposed permanent structure and to submit them to the Board for consideration and approval by the AU Commission.

DECISION ON THE ACTIVITY REPORT OF THE ECONOMIC, SOCIAL AND CULTURAL COUNCIL (ECOSOCC) – Doc. EX.CL/1261(XXXVIII)

The Executive Council,

1. **TAKES NOTE** of the various submissions on ECOSOCC and the recommendations contained therein.
2. **COMMENDS** the Republic of Zambia for the continued assistance offered to the ECOSOCC Secretariat during the start-up of its operations in Lusaka, Zambia.
3. **REQUESTS:**
 - (i) The Commission to expedite the evaluation of the proposed interim facility offered by the Government of the Republic of Zambia;
 - (ii) The Commission to conduct an independent investigation by the relevant Department of the Commission into current and future alleged violations of the African Union Code of Ethics and Conduct by members of the ECOSOCC General Assembly, and to recommend appropriate sanctions through the Bureau of the Chairperson of the Commission;
 - (iii) The ECOSOCC Secretariat should present its structural, financial and legal implications in accordance with due process in place and report back at the 39th Ordinary Session of the Executive Council in July 2021.



**DECISION ON THE ACTIVITY REPORT OF THE AFRICAN RISK CAPACITY (ARC)
AGENCY – Doc. EX.CL/1262(XXXVIII)**

The Executive Council,

1. **TAKES NOTE** of efforts of the ARC Group towards its institutional reforms and necessary treaty amendments process that facilitated the establishment of an ARC Group comprising the ARC Agency and its affiliates, the adoption of an ARC Group Strategy, the election of an ARC Group Director General and the expansion of the ARC Agency Governing Board into an ARC Group Board.
2. **FURTHER TAKES NOTE** of the assumption of duty by Mr. Ibrahima Cheikh Diong on 1 September 2020 as the ARC Group Director General.
3. **COGNISANT** of the multiple hazards and perils, coupled with the pandemic, that State Parties are exposed to, **WELCOMES** the development and launching of new disaster risk financing and insurance products including tropical cyclones and floods.
4. **CALLS UPON** Member States to support ARC in the development of new insurance products for disasters including disease outbreaks and epidemics in line with previous Executive Council decisions.
5. **ACKNOWLEDGES** the support that partners have offered to ARC since its establishment and **REQUESTS** State Parties to the ARC Agreement to consider making voluntary contributions to ARC.
6. **ENCOURAGES** Member States that have not yet signed and ratified the Agreement for the Establishment of the ARC Agency to accelerate their processes of signing and ratifying of the Agreement.

**DECISION ON THE PAN-AFRICAN FORUM FOR THE CULTURE OF PEACE-
BIENNALE OF LUANDA
Doc. EX.CL/1265(XXXVIII)**

The Executive Council,

1. **TAKES NOTE** of the briefing by Angola on the First Pan-African Forum for the Culture of Peace in Africa-Biennale of Luanda, held in Luanda, Angola, 18-22 September 2019.
2. **TAKES NOTE** of the item proposed by the Republic of Angola, and **RECOMMENDS** the draft decision for consideration and adoption by the Assembly.



**DECISION ON THE PROGRESS REPORT ON THE
OPERATIONALIZATION OF THE AFRICAN INCLUSIVE MARKET
EXCELLENCE CENTRE (AIMEC)
Doc. EX.CL/1269(XXXVIII)**

The Executive Council,

1. **TAKES NOTE** of the Progress Report and its recommendations made on the Hosting of the African Inclusive Market Excellence Center (AIMEC).
2. **WELCOMES** the progress made so far in the setting up of the AIMEC.
3. **REQUESTS** the Commission to continue working with the Government of Tunisia on finalizing and signing the host agreement.
4. **ALSO REQUESTS** the AUC to work with the relevant AU Policy Organs to finalise the Statute of the AIMEC.
5. **FURTHER REQUESTS** the AUC to finalise the structure of the AIMEC and the budget working with the Permanent Representative Committee.
6. **MANDATES** the AUC to provide a progress report to the 39th Ordinary Session of the Executive Council.



**DECISION ON 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)**

The Executive Council,

1. **TAKES NOTE** of Report of the Joint sitting the Ministerial Committee on Scale of Assessment and Contributions and the committee of fifteen Ministers of Finance (F15).
2. **COMMENDS** Member States for contributing 90% of the funds assessed to them (US\$222,967,420) in 2020 towards the Union regular budget.
3. **ALSO COMMENDS** 55 Member States for contributing US\$204,876,199 to the AU Peace Fund since 2017 which demonstrates the high level of commitment by the Union to fully operationalise the Fund.
4. **FURTHER COMMENDS** Member States that are up-to-date in the payment of their contributions, including those that have made advance payments towards the 2022 budget, and **URGES** Member States that have not yet done so to pay their assessed contributions in fulfilment of their financial obligations to the Union.
5. **RECALLS** Decision EX.CL/Dec.1101(XXXVII) of October 2020 in which the Executive Council decided to impose sanctions on Member States, in line with paragraph 3(c) of the November 2018 Assembly Decision Ext/Assembly/AU/Dec.3(XI).
6. **DECIDES** to lift with immediate effect the sanctions previously imposed on the Republic of Nigeria, Republic of Equatorial Guinea, Republic of Mozambique, Republic of Mauritania, Republic of Djibouti, Republic of the Gambia, Republic of Tunisia, Republic of Niger, Republic of Tanzania, Republic of Guinea Bissau, Republic of Sao Tome and Principe, Republic of Benin, Republic of Cameroon, the Republic of Senegal, Republic of Cape Verde, Republic of eSwatini, Republic of Comoros as well as Central African Republic.
7. **COMMENDS** the Republic of Somalia, Republic of Seychelles and Republic of Burundi for agreeing with the Commission the Payment Plans to clear the arrears as soon as possible, within four (4) years from the adoption of the Decision EX.CL/Dec.1071(XXXV). **RECOMMENDS** to the Assembly for endorsement the said Payment Plans.
8. **REQUESTS** the Ministerial Committee on Scale of Assessment and Contributions jointly sitting with the Committee of Fifteen Ministers of Finance

(F15) to regularly update the Executive Council on the implementation of Payment Plans.

9. **TAKES NOTE** of the request from the Republic of Sudan on the need to review its assessed contribution and **REQUESTS** the Commission to consult with the Republic of 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 this Decision.
10. **RECALLS** Decision Assembly/AU/Dec.605(XXVII) in which, among others, decided that the Peace Fund shall be endowed from the 0.2% levy, referred to in paragraph 6(a) above, with an amount of United States Dollars Three Hundred Twenty Five (USD325) million in 2017, rising to Four hundred (400) million in 2020. This total amount shall be raised from equal contributions from each of the five (5) AU Regions as defined in the relevant instruments.
11. **FURTHER RECALLS** Decision EX.CL/Dec.1100(XXXVII) on the Report of the AU High Representative for Financing the Union and the Peace Fund on the regional consultations on the Scale of Assessment for Member States contributions to the Peace Fund, in which the Executive Council took note of the reservation placed by the following Countries: Arab Republic of Egypt, the People's Democratic Republic of Algeria, the Republic of Tunisia, Islamic Republic of Mauritania, the Sahrawi Arab Democratic Republic and the State of Libya to endorse the report and recommendation of the AU High Representative to continue to use the scale of assessment for the regular budget to assess Member State contributions to the AU Peace Fund in line with the general consensus.
12. **MANDATES** the Commission to continue bilateral consultations with countries according to reservations on Decision EX.CL/Dec.1100(XXXVII) on the use of 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.
13. **RECALLS** Decision EX.CL/Dec.1101(XXXVII) in which the Ministerial Committee on Scale of Assessment and Contributions Sitting Jointly with the Committee of Fifteen Ministers of Finance (F15) was requested to revisit the targets set in Decision Assembly/AU/Dec.578(XXV) and provide recommendations at the next Ordinary Session of the Executive Council in February 2021.
14. **DECIDES** to endorse the recommendations of the joint sitting of Ministerial Committee on Scale of Assessment and Contributions and Committee of Fifteen Ministers of Finance as follows:

- i) maintain the targets set in Decision Assembly/AU/Dec.578(XXV) of achieving the following:
 - a) 100% of the Union's Operational budget;
 - b) 75% of Union's Program budget;
 - c) 25% of Union's Peace support operations budget
- ii) Extend the period for attaining the targets by four more years to 2025.



DECISION ON THE REPORT OF THE MINISTERIAL COMMITTEE ON AFRICAN CANDIDATURES IN THE INTERNATIONAL SYSTEM

The Executive Council,

A. **WELCOMES** the Report of the Ministerial Committee on African Candidatures within the International System.

B. **ENDORSES:**

1. For election as a Member of the Executive Council of the United Nations Educational, Scientific and Cultural Organization (UNESCO) for the period 2021-2025, during the election scheduled for November 2021 in Paris, France, **endorses** the candidatures of:

- Arab Republic of Egypt.
- Republic of Mauritius.
- Kingdom of Morocco.
- Islamic Republic of Mauritania.

2. For election as a Member of the United Nations Commission on Narcotic Drugs (CND) for the period 2022-2025, during the election scheduled for April 2021 in New York, USA, **endorses** the candidatures of:

- Republic of Ghana.

3. For election as a Director-General of the United Nations Industrial Development Organization (UNIDO) for the period 2021-2025, during the election scheduled for June 2021, **endorses** the candidature of:

- Dr. Arkebe Oqubay, of the Federal Democratic Republic of Ethiopia

4. For election as a Member of the International Maritime Organization (IMO) under category "C" for the period 2021-2022, during the election scheduled for February 2021, **endorses** the candidature of:

- Republic of Kenya.

5. For election as a Member of the Executive Board of the International Maritime Organization (IMO) Category "C" for the period 2022-2023, during the election scheduled for November 2021, **endorses** of the candidature of:

- Arab Republic of Egypt.

6. For election as a Member of the Committee on the Elimination of Discrimination Against Women (CEDAW) for the period 2022-2025, during the election scheduled for June 2021, endorses the candidature of:
 - Mrs. Eunice Njovana, of the Republic of Zimbabwe
7. For election as a Secretary General of the International Civil Aviation Organization (ICAO) for the period 2021-2024, during the election scheduled for March 2021, endorses the candidature of:
 - Mr. Habib Mekki, of the Republic of Tunisia
8. For election as a Member of the United Nations Human Rights Committee (HRC) for the period 2022-2026, during the election scheduled for June 2021, endorses the candidature of:
 - Mr. SUH Alfred Fusi, of the Republic of Cameroon
9. For election as a Member of the United Nations Committee on the Elimination of Racial Discrimination (CERD) for the period 2022-2026, during the election scheduled for June 2021, endorses the candidature of:
 - Ms. ESSEME Regine, of the Republic of Cameroon
10. For election as a Member of the Administrative Board of the United Nations Children's Fund (UNICEF) for the period 2022-2024, during the election scheduled for April/May 2021, endorses the candidature of:
 - People's Democratic Republic of Algeria
 - Republic of Chad
 - Republic of Cote d'Ivoire
11. For election as a Non-Permanent Member of the United Nations Security Council (UNSC) for the period 2022-2023, during the election scheduled for June 2021, endorses the candidatures of:
 - Gabonese Republic
 - Republic of Ghana (West Africa).
12. For election as a Non-Permanent Member of the United Nations Security Council (UNSC) for the period 2023-2024, during the election scheduled for June 2022 in New York, USA, endorses the candidatures of:
 - Republic of Mozambique (Southern Africa).

13. For election as Vice-Presidents of the 76th Session of the UN General Assembly (UNGA) for the period 2021-2022, during the election scheduled for June 7, 2021 in New York, USA, **endorses** the candidatures of:

- Republic of Côte d'Ivoire
- Arab Republic of Egypt
- Republic of Equatorial Guinea
- Republic of Sierra Leone
- United Republic of Tanzania
- 1 remaining for Southern Africa Region

14. For election as a Member of the United Nations Economic and Social Council (ECOSOC) for the period 2022-2025, during the election scheduled for June 7, 2021 in New York, USA, **endorses** the candidatures of:

- Republic of Cameroon
- Republic of Côte d'Ivoire
- Republic of Tunisia
- 3 remaining seats to be filled as follows: 2 seats for Eastern African Region; 1 seat for Southern African Region.

15. For election as a Member of the Commission for Social Development (CSD) for the period 2022-2025, during the election scheduled for April/May 2021 in New York, USA, **endorses** the candidatures of:

- Republic of Ghana
- 3 remaining seats to be filled as follows: 2 seats for Eastern Africa Region and 1 seat for Southern Africa Region.

16. For election as a Member of the Statistical Commission (SC) for the period 2022-2025, during the election scheduled for April/May 2021 in New York, USA, **endorses** the candidatures of:

- Republic of Burundi
- Republic of Tunisia
- 1 remaining seat to be filled by Southern Africa Region

17. For election as a Member of the Commission on Population and Development (CPD) for the period 2022-2026, during the election scheduled for April/May 2021 in New York, USA, **endorses** the candidatures of:

- Republic of Chad

- **2 remaining seats pending, to be filled as follows: 1 seat for Eastern Africa Region and 1 seat for Southern Africa Region.**
18. **For election as a Member of the Commission on the Status of Women (CSW) for the period 2022-2026, during the election scheduled for April/May, 2021 in New York, USA, endorses the candidatures of:**
- **Republic of Cabo Verde**
 - **Islamic Republic of Mauritania**
 - **2 remaining seats pending, to be filled as follows: 1 seat for Central Africa Region and 1 seat for Eastern Africa Region.**
19. **For election as a Member of United Nation Human Right Council (HRC) for the period 2022-2024, during the election scheduled for late 2021 in New York, endorses the candidatures of:**
- **Republic of Benin**
 - **Republic of Cameroon**
 - **Republic of The Gambia**
 - **2 remaining seats to be filled by Eastern Africa Region**
20. **For election as a Member of the Commission on Crime Prevention and Criminal Justice (CCPCJ) for the period 2022-2024, during the election scheduled for April/May 2021 in New York, USA, endorses the candidatures of:**
- **State of Libya**
 - **Republic of Togo**
 - **2 remaining seats to be filled Western Africa Region**
21. **For election as a Member of the Commission on Science and Technology for Development (CSTD) for the period 2021-2024, during the election scheduled for April/May 2021 in New York, USA, endorses the candidature of:**
- **Democratic Republic of the Congo**
22. **For election as a Member of the Committee for Programme and Coordination (CPC) for the period 2022-2024, during the election scheduled for April/May 2021 in New York, USA, endorses the candidature of:**
- **Republic of Botswana**
 - **1 remaining seat to be filled by the Eastern Africa Region**

23. **For election** as a Member of the Executive Board of **UNDP/UNFPA/UNOPS** for the period 2022-2024, during the election scheduled for April/May 2021 in New York, USA, **endorses** the candidatures of:

- **Republic of Cameroon**
- **Republic of Chad**
- **Republic of Cote D'Ivoire**
- **Kingdom of Lesotho**
- **1 remaining seat to be filled by the Eastern Africa Region**

24. **For election** as a Member of the Executive Board of the World Food Programme (**WFP**) for the period 2022-2024, during the election scheduled for April/May 2021 in New York, **endorses** the candidature of:

- **Republic of Ghana**

25. **For election** as a Member of the Coordination Board of the United Nations HIV/AIDS Programme (**HIV/AIDS**) for the period 2022-2024, during the election scheduled for April/May 2021 in New York, USA, **endorses** the candidatures of:

- **Republic of Côte d'Ivoire**
- **1 seat to be filled by the Southern Africa Region**

26. **For election** as a Member of the Advisory Committee on Administrative and Budgetary Questions (**ACABQ**) for the period 2022-2024, during the election scheduled for late 2021 in New York, USA, **endorses** the candidatures of:

- **Mr. Makiesse Kinkela Augusto**, of the Republic of Angola
- **1 seat to be filled by the Western Africa Region**

27. **For election** as a Member of the Committee on Contributions for the period 2022-2024, during the election scheduled for late 2021 in New York, USA, **endorses** the candidature of:

- **Republic of Botswana.**

28. **For election** as a Member of the Committee on Conferences for the period 2022-2024, during the election scheduled for late 2021 in New York, USA, **endorses** the candidatures of:

- **Republic of Côte d'Ivoire**
- **1 seat to be filled by the Central Africa Region**

29. **For election** as a Member of the Executive Board of the UN-Women (**UN-WOMEN**) for the period 2022-2024, during the election scheduled for April/May 2021 in New York, USA, **endorses** the candidatures of:

- Republic of Cameroon
- Arab Republic of Egypt
- Republic of South Africa
- 2 remaining seats to be filled as follows: 1 seat Eastern Africa Region, and 1 seat by the Western Africa Region.

30. **For election** as a Chair of the Main Committees for the 76th Session of UNGA for the period 2021-2022, during the election scheduled for June 7, 2021 in New York, USA, **endorses** the candidatures of:

- First Committee: Kingdom of Morocco
- Third Committee: Republic of Djibouti

C. TAKES NOTE:

31. **For election as a Member of the UN International Law Commission (ILC)** for the period 2023-2027, during the election scheduled for June 2022, **takes note** of the candidatures of:

- Prof. Hassan Ouazzani Chahdi, of the Kingdom of Morocco
- Prof. Charles Jallow of the Republic of Sierra Leone

32. **For election as a Chair of the International Civil Service Commission (ICSC)** for the period 2023-2026, during the election scheduled for June 2022, **takes note** of the candidatures of:

- Mr. Larbi DJACTA, The People's Democratic Republic of Algeria (**Re-election**)
- Mr. Elhassane Zahid, of the Kingdom of Morocco

NB. This request shall be referred back to the Northern African Region for further consultations and the nomination of one single candidate for the Region. The Decision of the Executive Council should be informed by the African Group in New York during the next Ordinary Session.

33. **For election as a Member of the Committee on the Elimination of Discrimination Against Women (CEDAW)** for the period 2023-2026, during the election scheduled for June 2022, **takes note** of the candidature of:

- **Ms. Vera NKWATE NGASSA**, of the Republic of Cameroon

34. **For election as a Non-Permanent Member of the United Nations Security Council (UNSC)** for the period 2028-2029, during the election scheduled for June 2027, takes note of the candidatures of:

- **Kingdom of Morocco**
- **State of Libya**

NB. This request shall be referred back to the Northern African Region for further consultations and the nomination of one single candidate for the Region. The decision of the Executive Council has to be informed by the advice of the African Group in New York, USA during the next Ordinary Session.

35. **For election as a Non-Permanent Member of the United Nations Security Council (UNSC)** for the period 2025-2026, during the election scheduled for June 2024, takes note of the candidature of:

- **Republic of Mauritius**

D. ON THE RULES OF PROCEDURE

36. **REITERATES** its decision EX.CL/1216(XXX VI) with regard to the revision of the rules of procedure of the Committee, that requested the Commission to circulate the Rules of Procedure to Members of the Committee and to receive their inputs by the end of February 2020; The Executive Council **TAKES NOTE** of the Rules of Procedure for the Ministerial Committee on African Candidatures within the International System with amendments made; **FURTHER REQUESTS** the Commission to finalize the Rules of Procedure and submit them before end of March 2021 to the Specialized Technical Committee (STC) on Justice and Legal Affairs for consideration and adoption by the Executive Council during its 39th Ordinary session in July 2021.

E. ON DELEGATION OF AUTHORITY

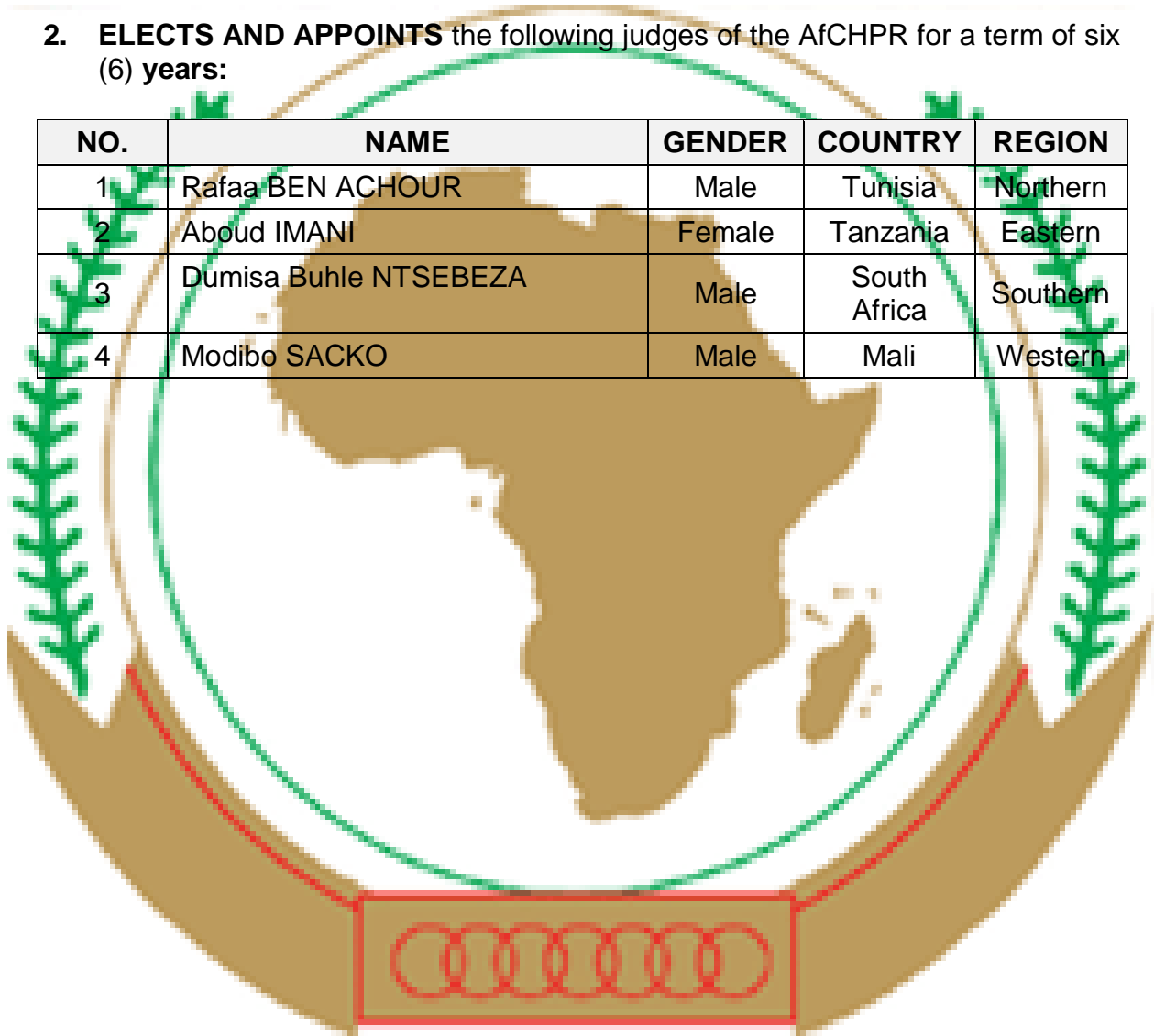
37. **REAFFIRMS** its decision EX.CL.DEC.1067 (XXXV) to delegate its authority to the Permanent Representatives of Member States of the Ministerial Committee on African Candidatures within the International System to consider Candidature to posts within the International System.

DECISION ON THE ELECTION AND APPOINTMENT OF FOUR (4) JUDGES OF THE AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS

The Executive Council,

1. **TAKES NOTE** of the Report of the Commission on the Election and Appointment of Four (4) Judges of the African Court on Human and Peoples' Rights.
2. **ELECTS AND APPOINTS** the following judges of the AfCHPR for a term of six (6) years:

NO.	NAME	GENDER	COUNTRY	REGION
1	Rafaa BEN ACHOUR	Male	Tunisia	Northern
2	Aboud IMANI	Female	Tanzania	Eastern
3	Dumisa Buhle NTSEBEZA	Male	South Africa	Southern
4	Modibo SACKO	Male	Mali	Western



**DECISION ON THE ELECTION AND APPOINTMENT OF SEVEN (7) MEMBERS OF
THE AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS AND WELFARE OF
THE CHILD**

The Executive Council,

1. **TAKES NOTE** of the Report of the Commission on the Election and Appointment of Seven (7) Members of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC).
2. **ELECTS AND APPOINTS** the following members of the ACERWC for a term of five (5) years:

NO.	NAME	GENDER	COUNTRY	REGION
1	Wilson Almeida ADAO	Male	Angola	Southern
2	Karoonawtee CHORAMON	Female	Mauritius	Eastern
3	Aboubekrine EL JERA	Male	Mauritania	Northern
4	Aver GAVAR	Female	Nigeria	Western
5	Anne MUSIWA	Female	Zimbabwe	Southern
6	Robert Doya NANIMA	Male	Uganda	Eastern
7	Theophane Marie Xavier NIKYEMA	Male	Burkina Faso	Western

**DECISION ON THE ELECTION AND APPOINTMENT OF SIX (6) MEMBERS OF THE
AFRICAN UNION ADVISORY BOARD ON CORRUPTION (AUABC)**

The Executive Council,

1. **TAKES NOTE** of the Report of the Commission on the Election and Appointment of Six Members of the African Union Advisory Board on Corruption (AUABC).
2. **ELECTS AND APPOINTS** the following members of the AUABC for a term of two (2) years:

NO.	NAME	GENDER	COUNTRY	REGION
1	Jean Louis ANDRIAMIFIDY	Male	Madagascar	Eastern
2	Jean Claude BIZIMANA	Male	Burundi	Central
3	Seynabou Ndiaye DIAKHATE	Female	Senegal	Western
4	Pascoal Antonio JOAQUIM	Male	Angola	Southern
5	Francis Ben KAIFALA	Male	Sierra Leone	Western
6	Agness Kayobo NG'ANDU	Female	Zambia	Southern

DECISION ON THE ELECTION AND APPOINTMENT OF THE PRESIDENT OF THE PAN AFRICAN UNIVERSITY COUNCIL

The Executive Council,

1. **TAKES NOTE** of the Report of the Commission on the Election and Appointment of the President of the Pan African University Council.
2. **DECIDES** to defer the election and appointment of the President of the Pan African University (PAU) Council to its 39th Ordinary Session scheduled for June/July 2021.
3. **FURTHER DECIDES** to extend the term of office of the current President of the PAU Council, Mr. Pierre Dominique NZINZI (Gabon), until June/July 2021.
4. **REQUESTS** the Bureau of the Specialized Technical Committee (STC) on Education, Science and Technology to adhere to Article 9(2) of the Revised Statute of the Pan African University (PAU) and the principle of equitable geographical representation and to submit a list comprised of five (5) candidates, one per each region, to the 39th Ordinary Session of the Executive Council.



DECISION ON THE ELECTION AND APPOINTMENT OF SIX (6) COMMISSIONERS OF THE AFRICAN UNION COMMISSION

The Executive Council,

1. **TAKES NOTE** of the Report of the Commission on the Election and Appointment of Six (6) Commissioners of the African Union Commission.
2. **ELECTS AND APPOINTS** the following Commissioners of the African Union Commission for a term of Four (4) years:

NO.	NAME	COUNTRY	REGION	GENDER
1	H.E Josefa Leonel Correia Sacko, Commissioner for Agriculture, Rural Development, Blue Economy and Sustainable Environment	Angola	South	Female
2	H.E Albert Muchanga, Commissioner for Economic Development, Trade, Industry and Mining	Zambia	South	Male
3	H.E. Dr Amani Abou-Zeid, Commissioner for Infrastructure and Energy	Egypt	Northern	Female
4	H.E. Bankole Adegboyega Adeoye, Commissioner for Political Affairs, Peace and Security	Nigeria	West	Male

3. **CONGRATULATES** the newly elected Commissioners who shall take the Oath of Office before the Chairperson of the Commission;
4. **DECIDES** that the Commissioners for Education, Science, Technology and Innovation and Health, Humanitarian Affairs and Social Development will be elected at the June/July 2021 Ordinary Session of the Executive Council and the outgoing Commissioners, H.E. Sarah Anyang Agbor and H.E. Amira Elfadil Mohamed Elfadil shall be acting in the said positions.
5. **5. DECIDES** that the candidates to be elected shall be amongst male candidates from the Northern Region and female candidates from the Western Region, respectively, in accordance with the provisions of the Statutes of the Commission as well as the Rules of Procedure of the Assembly.
6. **RECALLS** Ext/Assembly/AU/Dec.1 (XI) and Assembly/AU/Dec.761 (XXXIII), which established the Panel of Eminent Personalities and **REQUESTS** the Eminent Personalities to continue their work, assisted when necessary, by the

same independent African consultancy firm in accordance with the timelines set in this decision.

7. **APPROVES** the following timelines:

- a) Commission to communicate call to Member States to submit Candidates (February - **March 2021**)
- b) Submission of Candidates by Member States (March -**April 2021**)
- c) Assessment of Candidates by the Panel (**April -May 2021**)
- d) Circulation of pre-qualified candidates to Member States (**June 2021**).

8. **REQUESTS** the Commission to take all necessary measures towards the implementation of this decision and **APPROVES** a supplementary budget and **DIRECTS** the PRC, assisted by its relevant sub-committees to identify the required budget.

