

AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

UNIÃO AFRICANA

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SC20226

**EXECUTIVE COUNCIL**  
**Thirty-First Ordinary Session**  
**27 June – 1 July 2017**  
**Addis Ababa, ETHIOPIA**

**EX.CL/ Dec.965-985(XXXI)**  
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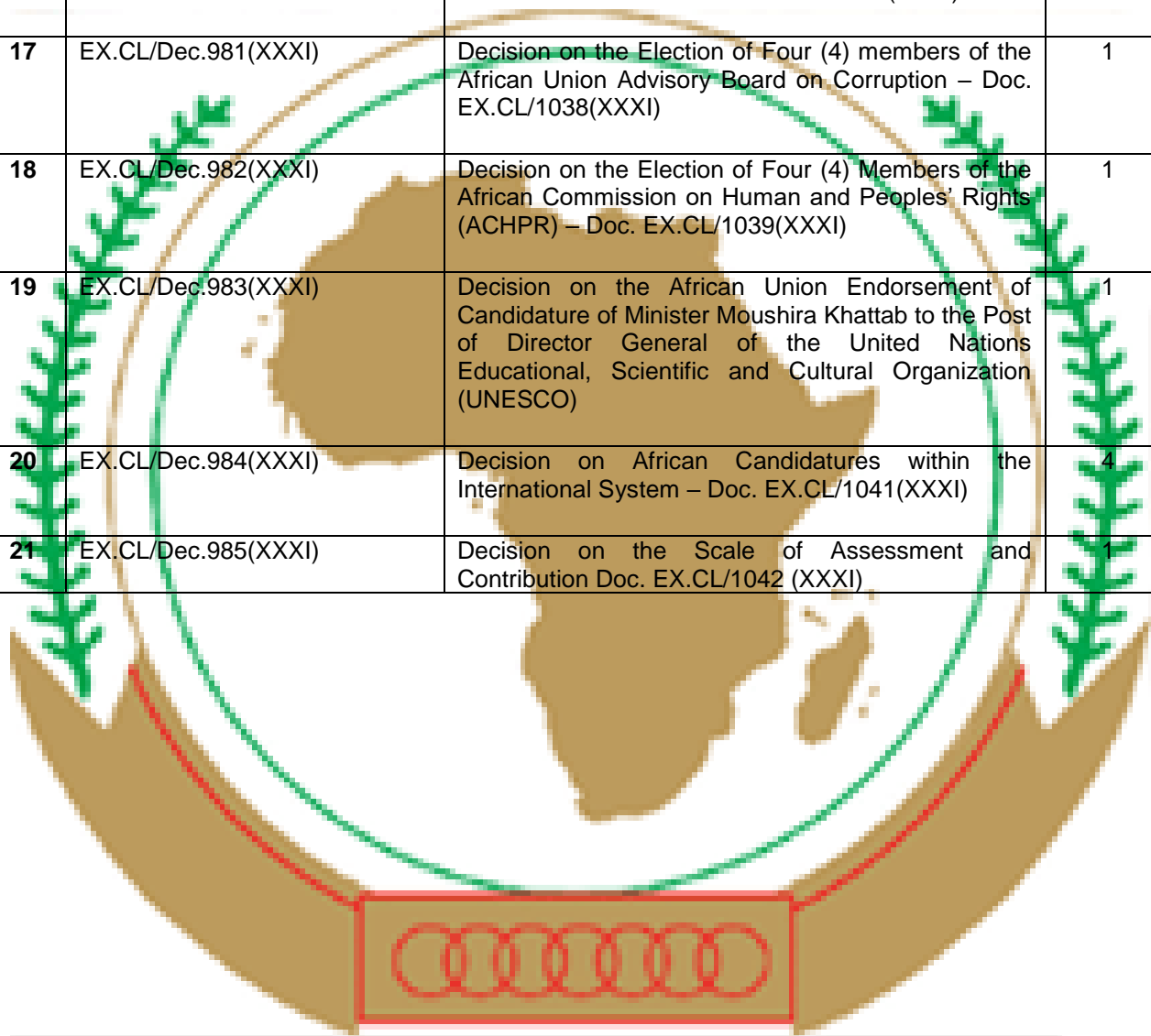
**DECISIONS, DECLARATIONS & RESOLUTION**



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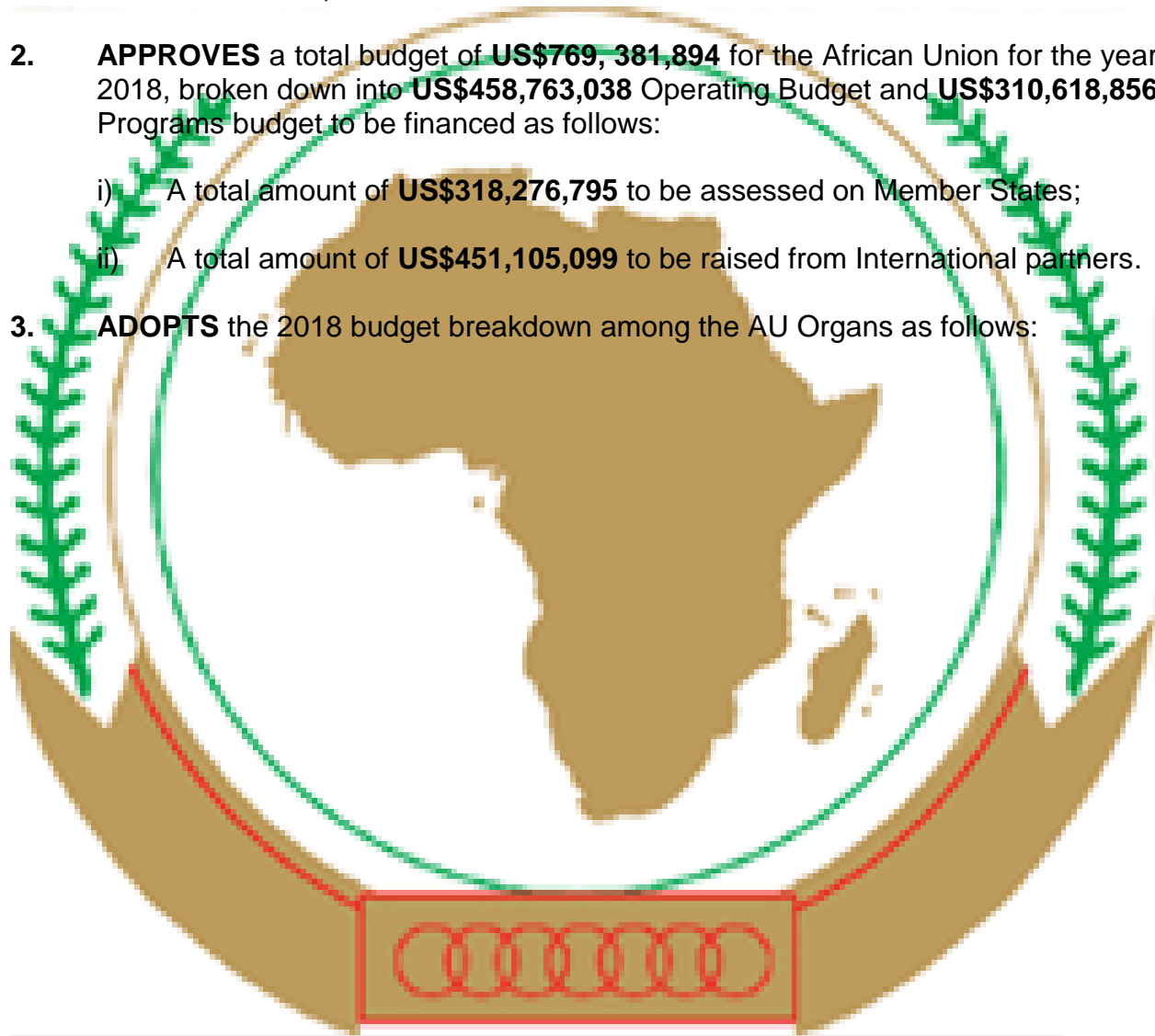
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**DECISION ON THE BUDGET OF THE AFRICAN UNION  
FOR THE 2018 FINANCIAL YEAR  
Doc. PRC/Rpt(XXXIV)**

**The Executive Council,**

1. **TAKES NOTE** of the report of the PRC and **ENDORSES** the recommendations contained therein;
2. **APPROVES** a total budget of **US\$769,381,894** for the African Union for the year 2018, broken down into **US\$458,763,038** Operating Budget and **US\$310,618,856** Programs budget to be financed as follows:
  - i) A total amount of **US\$318,276,795** to be assessed on Member States;
  - ii) A total amount of **US\$451,105,099** to be raised from International partners.
3. **ADOPTS** the 2018 budget breakdown among the AU Organs as follows:



Organs	Member States			Partners			Total Budget for 2018		
	Operating Budget	Programs	Total Assessment	Operating	Programs	Total	Operating	Programs	Total 2018
AUC	130,948,702	98,174,167	229,122,869		147,801,924	147,801,924	130,948,702	245,976,091	376,924,793
PAP	17,044,559		17,044,559		2,920,000	2,920,000	17,044,559	2,920,000	19,964,559
AfCHR (The Court)	10,581,742	-	10,581,742		1,238,417	1,238,417	10,581,742	1,238,417	11,820,159
ACHPR (The Commission)	5,612,542	-	5,612,542		707,138	707,138	5,612,542	707,138	6,319,680
ECOSSOC	1,214,363	1,314,303	2,528,666		-	-	1,214,363	1,314,303	2,528,666
NEPAD	10,299,329	368,486	10,667,815		40,000,000	40,000,000	10,299,329	40,368,486	50,667,815
AUCIL	442,576	-	442,576		325,458	325,458	442,576	325,458	768,034
Advisory Board on Peace & Security	2,082,152	761,576	2,843,728		-	-	2,082,152	761,576	2,843,728
ACERWC	291,995	88,727	380,722		502,787	502,787	291,995	591,514	883,509
<b>SPECIALIZED OFFICES OF THE AU</b>									
AFREC	1,275,699	-	1,275,699		-	-	1,275,699	-	1,275,699
IPED	762,647	-	762,647		-	-	762,647	-	762,647
CIEFFA	716,656	-	716,656		-	-	716,656	-	716,656
PAU	2,821,977	-	2,821,977		-	-	2,821,977	-	2,821,977
AIR	749,028	-	749,028		-	-	749,028	-	749,028
ACDC	3,971,148	11,320,248	15,291,396		2,058,880	2,058,880	3,971,148	13,379,128	17,350,276
AOSTI	916,272	-	916,272		-	-	916,272	-	916,272
AFRIPOL	948,450	-	948,450		-	-	948,450	-	948,450
<b>PEACE OPERATIONS</b>									
AMISOM	12,532,704	-	12,532,704	238,121,383	-	238,121,383	250,654,087	-	250,654,087
MNJTF			-	7,161,400		7,161,400	7,161,400		7,161,400
LRA			-	1,461,205		1,461,205	1,461,205		1,461,205
HRMOM			-	8,806,508		8,806,508	8,806,508		8,806,508
<b>TOTAL</b>	<b>203,212,542</b>	<b>115,064,253</b>	<b>318,176,795</b>	<b>255,550,496</b>	<b>195,554,603</b>	<b>451,105,099</b>	<b>458,763,038</b>	<b>310,618,856</b>	<b>769,381,894</b>

4. **ALSO ADOPTS** the 2018 budget breakdown by expense components as follows:

	Staff Cost	Operating Expenses	Capital Expenses	Sub-Total Operational	Programs	TOTAL
AUC	90,843,197	37,607,080	2,498,424	130,948,702	245,976,091	376,924,793
NEPAD	8,089,713	2,057,641	151,975	10,299,329	40,368,486	50,667,815
PAP	9,810,122	7,062,993	171,444	17,044,559	2,920,000	19,964,559
ACDC	2,708,414	1,172,733	90,000	3,971,148	13,379,128	17,350,276
AfCHR (The Court)	6,628,196	3,663,726	289,820	10,581,742	1,238,417	11,820,159
ACHPR (The Commission)	3,192,542	2,376,000	44,000	5,612,542	707,138	6,319,680
Advisory Board on Corruption	864,938	1,217,214	-	2,082,152	761,576	2,843,728
PAU	2,146,895	672,083	3,000	2,821,977	-	2,821,977
ECOSSOC	-	1,214,363	-	1,214,363	1,314,303	2,528,666
Peace & Security Council	-	-	-	-	3,036,746	3,036,746
AFREC	1,127,099	123,600	25,000	1,275,699	-	1,275,699
AFRIPOL	712,350	96,100	140,000	948,450	-	948,450
AOSTI	699,938	131,234	85,100	916,272	-	916,272
ACERWC	28,835	263,160	-	291,995	591,514	883,509
AUCIL	-	442,576	-	442,576	325,458	768,034
IPED	516,881	116,566	129,200	762,647	-	762,647
AIR	569,400	138,600	41,028	749,028	-	749,028
CIEFFA	480,484	122,972	113,200	716,656	-	716,656
<b>Sub-Total excluding Peace Support Operations</b>	<b>128,419,006</b>	<b>58,478,641</b>	<b>3,782,191</b>	<b>190,679,838</b>	<b>310,518,856</b>	<b>501,198,694</b>
AMISOM	14,483,387	236,170,700	-	250,654,087	-	250,654,087
MNJTF	-	7,161,400	-	7,161,400	-	7,161,400
LRA	-	1,461,205	-	1,461,205	-	1,461,205
HRMOM	-	8,806,508	-	8,806,508	-	8,806,508
<b>Sub-Total Peace Support Operations</b>	<b>14,483,387</b>	<b>253,599,813</b>	<b>-</b>	<b>268,083,200</b>	<b>-</b>	<b>268,083,200</b>
<b>Grand Total</b>	<b>142,902,393</b>	<b>312,078,454</b>	<b>3,782,191</b>	<b>458,763,038</b>	<b>310,618,856</b>	<b>769,381,894</b>

**5. REQUESTS** the Commission:

- i) to refer to the Peace and Security Council the funding gap of **US\$81,846,337** for AMISOM created due to a decision by the European Union to withdraw 20% of their annual funding;
- ii) to coordinate and oversee the budget process from all Organs before submission to the competent PRC Sub-Committee for scrutiny and endorsement;
- iii) to use a new format in preparing the AU budget which should be backed by a projection on future remittance of Member States and any other relevant information in accordance with the related Decisions adopted by the AU in order to facilitate the efficient consideration and adoption by Member States;

**6. URGES** the Commission to further improve and strengthen the budget process by introducing a budget that is focused on priorities along with establishing a mechanism to allow results based assessment and monitoring;

**7. CALLS UPON** the Commission to harmonize all allowances across all AU Organs and bring to the PRC for endorsement;

**8. REQUESTS:**

- i) the PRC at the fifth year of implementing Decision Assembly/AU/Dec.578(XXV), on the Scale of Assessment and Alternative Sources of Financing the African Union, to assess the level of the implementation of the latter and make the appropriate recommendations to the Executive Council with the objective to fund 100% of the Operational Budget, 75% of the Program Budget and 25% of the Peace Support Operations by 2020, with a view to aligning the implementation timeframe with the actual capacity of Member States to pay;
- ii) the PRC, in accordance with the AU Financial Rules, to propose modalities for the effective and efficient management of the Reserve Fund by the Commission;
- iii) the Commission to work out all legal, structural and financial implications affecting the relocation of ECOSOCC to Lusaka, Zambia and submit to the PRC for supplementary budget consideration;
- iv) the Commission to utilize the comparative advantage of Member States to finance the implementation of specific approved projects or programmes, through financial or in-kind contribution received from a Member State concerned that has been specifically earmarked by the AU for that purpose

9. **RECOMMENDS** the 2018 Budget of the African Union for consideration and adoption by the Assembly.

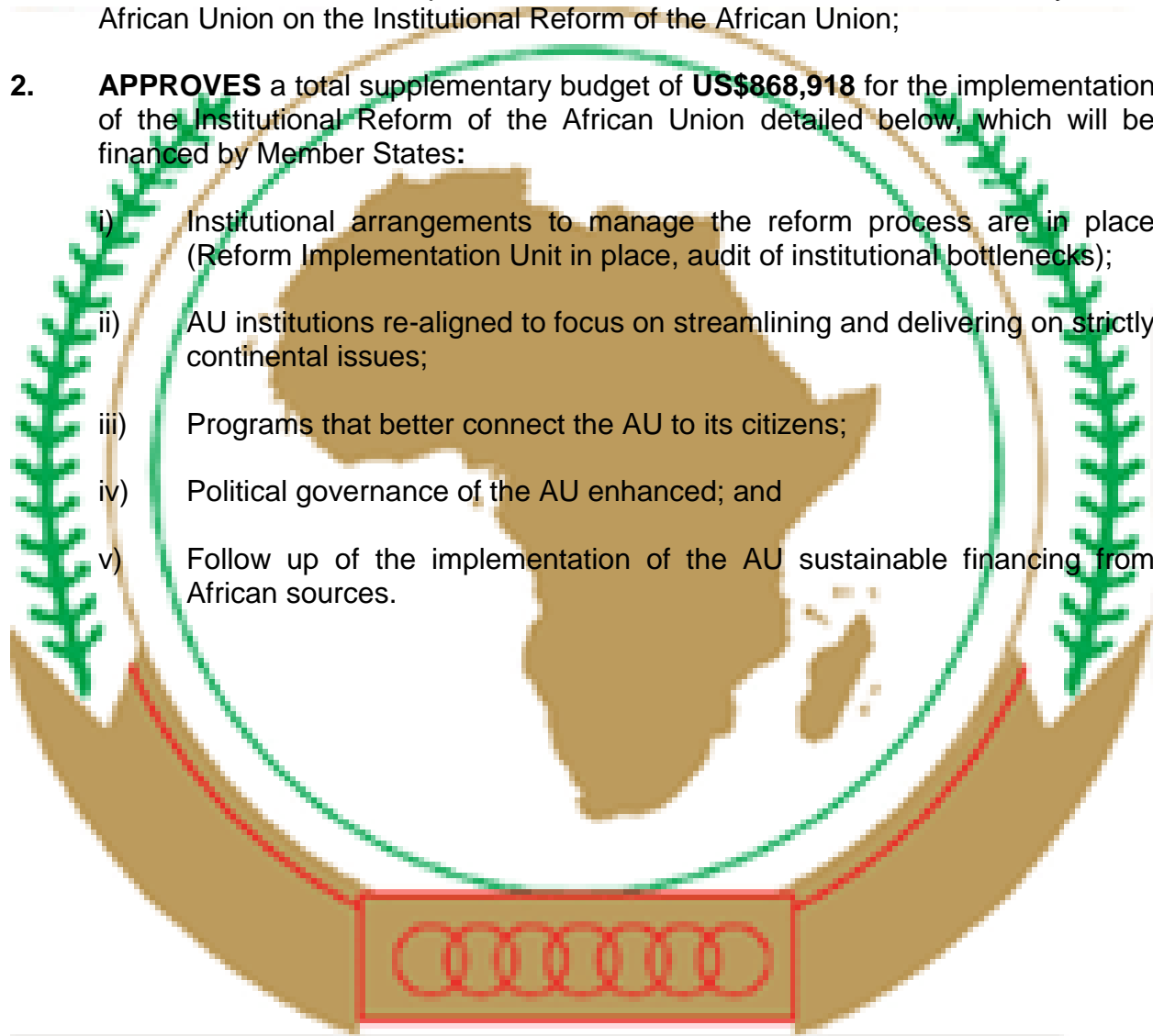




**DECISION ON THE SUPPLEMENTARY BUDGET  
FOR THE 2017 FINANCIAL YEAR  
Doc. PRC/Rpt(XXXIV)**

**The Executive Council,**

1. **RECALLS** Assembly Decision Assembly/AU/Dec.635(XXVIII) of the January 2017 Summit, which adopted the outcome of the retreat of the Assembly of the African Union on the Institutional Reform of the African Union;
2. **APPROVES** a total supplementary budget of **US\$868,918** for the implementation of the Institutional Reform of the African Union detailed below, which will be financed by Member States:
  - i) Institutional arrangements to manage the reform process are in place (Reform Implementation Unit in place, audit of institutional bottlenecks);
  - ii) AU institutions re-aligned to focus on streamlining and delivering on strictly continental issues;
  - iii) Programs that better connect the AU to its citizens;
  - iv) Political governance of the AU enhanced; and
  - v) Follow up of the implementation of the AU sustainable financing from African sources.



## DECISION OF THE PRC SUB-COMMITTEES

### The Executive Council:

1. **TAKES NOTE** of the reports of the PRC Sub-Committees and the recommendations contained therein;

**I. ON GENERAL SUPERVISION AND COORDINATION ON BUDGETARY, FINANCIAL AND ADMINISTRATIVE MATTERS - Doc. EX.CL/1016(XXXI)i**

2. **APPROVES:**

i) the implementation of the revised AU Compensation, Benefits and Allowances effective 1<sup>st</sup> January 2018;

ii) the recommendations specified in the Report which are summarized as follows:

(a) **AU Basic Salary Scale:** Revision of the AU Basic Salary Scale by an increase of 6.1%;

(b) **D2 Salary Scale:** Creation of a new D2 Salary Scale with the standard 3% progression on the subsequent steps as per incremental methodology of the AU scale;

(c) **Basic salaries of Elected Officials:** Revision of the monthly basic salaries of Elected Officials:

(i) **Chairperson of the AUC Commission** be calculated at D2 Step 10 monthly basic salary (US\$10,384.50) increased by 50%, i.e.  $(US\$10,384.50 \times 1.50) = US\$15,576.75$ ;

(ii) **Deputy Chairperson of the AUC Commission** be calculated at D2 Step 10 monthly basic salary (US\$10,384.50) increased by 32.5%, i.e.  $(US\$10,384.50 \times 1.325) = US\$ 13,759.46$ ; and

(iii) **Commissioners of the AUC Commission, President of the African Court on Human and People's Rights, Chief Executive Officer of NEPAD** be calculated at D2 Step 10 monthly basic salary (US\$10,384.50) increased by 15.0%, i.e.  $(US\$10,384.50 \times 1.15) = US\$11,942.18$ ;

(d) **Post Adjustment Rate:** Retention of the existing AU Post Adjustment Rate for the various AU duty stations;

(e) **Spouse Allowance:** Retention of the Spouse Allowance of 5% of Basic Salary, on the condition that eligible spouse is not receiving remuneration exceeding USD500.00 per month;

(f) **Employer and Employee Pension Contribution:** Retention of the existing Employer/Employee Pension Contribution for all regular staff as follows:

- (i) Employer Pension Contribution: 19% of the Basic Salary plus 17%; and
- (ii) Employee Pension Contribution: 12% of the Basic Salary plus 17%

(g) **Housing Allowance:** Revision of the Housing Allowance Rates for the various AU duty stations as annexed;

(h) **Education Allowance:** Revision of the Education Allowance rates and implementation of 100% payment of the school fees for a dependent child, incurred by an eligible staff member, whose duty station is in Africa or any other part of the world other than Europe and North America as follows:

- Up to USD10,000.00 per eligible child per year for internationally recruited regular Staff posted in these regions; and
- Up to USD3,300.00 per eligible child per year for national regular professional staff and locally recruited regular staff posted in these regions.

For eligible staff members whose duty station is in Europe or North America the education allowance shall be:

- Up to USD15,000.00 per eligible child per year for internationally recruited regular Staff; and
- Up to USD5,000.00 per eligible child per year for national regular professional staff and locally recruited regular staff.

(i) **Dependency Allowance:** Retention of the existing Dependency Allowance for regular staff members of USD250.00 per eligible child per year;

(j) **Non-Residence Allowance:** Retention of the existing Non-Resident Allowance for internationally-recruited General Service Staff (GSA4 and above only) at the rate of:

- (i) With Dependents: US\$3,000.00 per annum; and
- (ii) Without Dependents: US\$2,400.00 per annum

(k) **Installation Allowance:** Revision of the Installation Allowance for Internationally Recruited Regular Staff Members calculated as follows:

- (i) **Staff Member Installation Allowance:** 100% x 30 days DSA at the applicable rate of the duty-station;

- (ii) **Eligible Spouse:** 50% of the Staff Member's Installation Allowance;
  - (iii) **Eligible children 12years+:** 100% of the Staff Member's Installation Allowance;
  - (iv) **Eligible Children under 12 years and up to 2 years of age:** 50% of the Staff Member's Installation Allowance; and
  - (v) **Infant (less than 2 years):** No Installation Allowance.
- (l) **Conflict Zone Allowance:** Discontinuation of the current application of specific job grade plus one (e.g. P3 +1) and introduction of a Conflict Zone Allowance of a maximum of 35% basic salary for those staff members posted in conflict zone as determined by the AU Peace and Security Council. Those current staff members who had been placed under this practice shall be reverted to their original job grading and be paid a Conflict Zone Allowance;
- (m) **Rent for Official Residence of AUC Commissioners:** Discontinuation of the monthly payment of Housing Allowance to AUC Commissioners and introduction of a new Rental Budget line within the AHRMD Operational Budget at the rate of USD6000.00 per month per AUC Commissioner which shall include the cost for renting an unfurnished decent residence, payment of utility bills and maintenance of generators and premises. The budget shall be managed by Administration and Facilities Management Division.
- (n) **Timeframe for the phasing out of the Preferential Rates for Staff in the Geneva and Brussels Offices:** pending the dissemination of the studies on AU salaries and allowances to Member States and their consideration by the Executive Council at the next Ordinary Session in January 2018.

3. **RECOMMENDS** to the Assembly the amendments of Rule 22.3 (a) (iv) and (v) on Education Allowance; Rule 23.5 (a) and 23.6 (a) on Installation Allowance; and Rule 43.2 on Compensation for death to read as follows:

**A. Rule 22.3 (a) (iv) and (v) on Education Allowance**

*Para. (iv) The Union shall pay hundred percent (100%) of the learning expenses and cost which by definition shall only be limited to school fees actually incurred by a staff member from the amount recommended by the Chairperson or the competent authority of any other organ and approved by the Executive Council.*

*Para. (v) A staff member with more than one eligible child may discretionally spend beyond the 100% approval expenditure for any one child provided the aggregate educational expenditure for all his or her children is not more than the*

*authorized 100% expenditure of the approved educational allowance of all his or her children.*

**B. Rule 23.5 (a) and 23.6 (a) on Installation Allowance**

Rule 23.5(a):

*On arrival at his or her duty station, the newly recruited staff member shall receive an allowance to meet extra-ordinary living expenses consisting of the full rate of the daily subsistence allowance authorized under the preceding paragraph for himself or herself; fifty percent (50%) of that amount for eligible spouse; one hundred percent (100%) of that amount for eligible children 12 years and above; and fifty percent (50%) of that amount for eligible children under 12 years and up to 2 years of age for a maximum period of thirty (30) calendar days, on the understanding that no housing allowance is paid for the same period.*

Rule 23.6(a):

*A staff member shall, upon transfer to another duty station, be entitled to an allowance equivalent in sum to the installation allowance for himself or herself fifty percent (50%) of that amount for eligible spouse; fifty percent (50%) of that amount for eligible children 12 years and above; and twenty-five percent (25%) of that amount for eligible children under 12 years and up to 2 years of age for a maximum period of thirty (30) calendar days, on the clear understanding that no housing allowance shall be paid for the same period.*

**C. Rule 43.2 - Compensation for Death, Injury, Illness or Disability attributable to Service**

Amendment of Rule 43.2 (b) to read as follows:

(b) In the event of death or permanent disability of a regular or continuing regular staff member, an immediate humanitarian grant of 12-month basic salary plus post adjustment of the staff member shall be made available to the beneficiaries. This benefit will also be made available to beneficiaries of fixed-term and short-term staff members.

4. **REQUESTS** the Commission to provide detailed information on the process of transferring the Pension Fund from ALICO to another company;
5. **ALSO REQUESTS** the Commission to implement an effective performance management system, Career Development and Progression Plan with the view to enhance staff retention as well as provision of quality service delivery;
6. **FURTHER REQUESTS** the Commission to implement a performance management policy for staff assessment in accordance with international standards and best practices as applied in other international or multilateral organizations

7. **EXPECTS** the staff of the Union to improve significantly their commitments towards the Union and the Continent, specially their service deliveries and **REQUESTS** the Commission to put in place an effective management of staff members with the view to ensure that good staff are rewarded and those who do not deliver to the agreed standard are separated appropriately.



## MONTHLY HOUSING ALLOWANCE RATE EFFECTIVE 01 JANUARY 2018

International General Service Category A (GSA4 to GSA6)			
Housing Allowance All Duty Stations			1,401.12
Professional Staff Members			
<b>ADDIS ABABA</b>	D1-P4	P3-P1	
Housing Allowance for International Professional	2,184.00	1,911.00	
Housing Allowance for National Professional	40%	30%	
<b>ALGIERS &amp; LAAYOUNE</b>	D1-P4	P3-P1	
Housing Allowance for International Professional	1,962.00	1,545.60	
Housing Allowance for National Professional	40%	40%	
<b>BANJUL</b>	D1-P4	P3-P1	
Housing Allowance for International Professional	1,459.50	1,324.80	
Housing Allowance for National Professional	40%	30%	
<b>BRUSSELS</b>	D1-P5	P4	P3-P1
Housing Allowance for International Professional	2,484.00	2,173.50	1,932.00
Housing Allowance for Local Professional	40%	40%	30%
<b>CAIRO &amp; TRIPOLI</b>	D1-P4	P3	
Housing Allowance for International Professional	1,819.39	1,591.97	
Housing Allowance for National Professional	40%	30%	
<b>CONAKRY, MONROVIA &amp; DAKAR</b>	D1-P4	P3-P1	
Housing Allowance for International Professional	1,806.00	1,580.25	
Housing Allowance for National Professional	40%	30%	
<b>GENEVA</b>	D1-P5	P4	P3-P1
Housing Allowance for International Professional	3,701.25	2,870.40	2,583.60
Housing Allowance for Local Professional	40%	40%	30%
<b>LILONGWE</b>	D1-P4	P3-P1	
Housing Allowance for International Professional	1,685.25	1,401.65	
Housing Allowance for National Professional	40%	30%	
<b>ABUJA &amp; JOHANNESBURG (PAP, NPCA)</b>	D1-P5	P4	P3-P1
Housing Allowance for International Professional	2,274.24	2,046.82	1,819.39
Housing Allowance for National Professional	40%	40%	30%
<b>NAIROBI</b>	D1-P4	P3-P1	
Housing Allowance for International Professional	1,770.00	1,548.75	
Housing Allowance for National Professional	40%	30%	
<b>BUJUMBURA, MORONI &amp; ARUSHA</b>	D1-P4	P3-P1	
Housing Allowance for International Professional	1,860.00	1,627.50	
Housing Allowance for National Professional	40%	30%	
<b>NEW YORK</b>	D1-P5	P4	P3-P1
Housing Allowance for International Professional	3,966.00	3,470.25	2,980.85
Housing Allowance for Local Professional	40%	40%	30%
<b>WASHINGTON</b>	D1-P5	P4	P3-P1
Housing Allowance for International Professional	3,470.25	3,312.00	2,980.85
Housing Allowance for Local Professional	40%	40%	30%
<b>BAMAKO</b>	D1-P4	P3-P1	
Housing Allowance for International Professional	1,914.00	1,674.75	
Housing Allowance for National Professional	40%	30%	

<b>Professional Staff Members</b>		
<b>NIAMEY</b>	D1-P4	P3-P1
Housing Allowance for International Professional	2,118.00	1,766.40
Housing Allowance for National Professional	40%	30%
<b>OUAGADOUGOU</b>	D1-P4	P3-P1
Housing Allowance for International Professional	1,860.00	1,627.50
Housing Allowance for National Professional	40%	30%
<b>ABIDJAN</b>	D1-P4	P3-P1
Housing Allowance for International Professional	2,016.00	1,766.40
Housing Allowance for National Professional	40%	30%
<b>YAOUNDE</b>	D1-P4	P3-P1
Housing Allowance for International Professional	1,819.39	1,533.00
Housing Allowance for National Professional	40%	30%
<b>KINSHASA, BANGUI</b>	D1-P4	P3-P1
Housing Allowance for International Professional	2,378.25	1,766.40
Housing Allowance for National Professional	40%	30%
<b>MALABO</b>	D1-P4	P3-P1
Housing Allowance for International Professional	1,944.00	1,701.00
Housing Allowance for National Professional	40%	30%
<b>KHARTOUM, JUBA AND NDJAMENA</b>	D1-P4	P3-P1
Housing Allowance for International Professional	1,758.75	1,401.60
Housing Allowance for National Professional	40%	30%
<b>MOGADISHU</b>	D1-P4	P3-P1
Housing Allowance for International Professional	2,073.75	1,401.60
Housing Allowance for Local Professional	40%	30%

## II. ON MULTILATERAL COOPERATION - Doc. EX.CL/1016(XXXI)ii

### A. *Evaluation of Strategic Partnerships*

8. **RECALLS** EX.CL/Dec.942 (XXX) of the 30th Ordinary Session of the Executive Council, 25 - 27 January 2017, Addis Ababa, which **DIRECTED** the PRC, in collaboration with the Commission and the RECs, to hold special sessions within six months to allow for an in-depth discussion and analysis of all aspects of Strategic Partnership in order to formulate appropriate proposals and recommendations;
9. **MANDATES** the Commission, in collaboration with the PRC, to undertake an in-depth evaluation of all partnerships and submit concrete recommendations in July 2018;

### B. *Tokyo International Conference on African Development (TICAD)*

10. **ENDORSES** the date of 23-25 August 2017 for the holding of the TICAD VI Ministerial Follow up Meeting, in Maputo, Mozambique;
11. **ALSO ENDORSES** the offer made by Burkina Faso to host the Public-Private Sector Forum within the framework of TICAD;



### C. AU – EU Partnership

#### 12. APPROVES:

- i) the Theme of the 5<sup>th</sup> AU – EU Summit namely: “Investment in Youth for Accelerated Inclusive growth and sustainable development”;
- ii) the nomenclature for the partnership with the European Union to be: “African Union (AU) – European Union (EU) Partnership” instead of “Africa – EU partnership”<sup>1</sup>;
- iii) the holding of a Senior Officials and a Ministerial meeting that will precede the 5<sup>th</sup> AU–EU Summit to be held on 29 – 30 November 2017 in Abidjan, Cote d’Ivoire and request the PRC in close collaboration with the Commission to agree with the European side on the final dates for the Senior Officials and Ministerial meetings to be communicated in due course;

13. **REQUESTS** the PRC in close collaboration with the Commission to prepare and negotiate with the European side, the outcome documents of the 5<sup>th</sup> AU–EU Summit;

14. **RECALLS** its Decision EX.CL/Dec 942(XXX) taken during the Thirtieth Ordinary Session held on 25 – 27 January 2017 on the future of the African, Caribbean and Pacific Group of States (ACP) and the prospect of ACP – European Union Relations for the period Post – 2020 (Cotonou Agreement) and **REQUESTS** the PRC in collaboration with the Commission, the African Group of Ambassadors in Brussels, the RECs and African experts to develop an African Common Position on Post – 2020 Cotonou Agreement for consideration by the Executive Council prior to the Ministerial meeting that will precede the AU – EU Summit in Abidjan, Cote d’Ivoire, bearing in mind the obligations that some Member States have with the EU;

15. In this regard, **MANDATES** the PRC to convene a retreat to jointly conclude the elaboration of a draft Declaration and other documents for the 2017 AU-EU Summit in cooperation with the Commission and the Africa Group in Brussels and submit to an Extraordinary Session of Council in August/September 2017 to consider the same documents and adopt the African Common Position;

16. **RECALLS** the necessity to respect the principle of non-interference in the internal affairs of States in accordance with the United Nations Charter and the Constitutive Act of the African Union; and **DENOUNCES** the unjust unilateral sanctions against States and citizens of AU Member States;

<sup>1</sup> The Kingdom of Morocco entered a strong reservation on nomenclature: African Union (AU) – European Union (EU) Partnership

**D. Strengthening of the Institutional Capacity of the Commission**  
(Partnerships Management and Coordination Division)

17. **REAFFIRMS** its Decision, EX.CL/Dec.942 (XXX), Paragraph 2.vi, which called for the strengthening of the institutional capacity of the Commission (Partnerships Management and Coordination Division), and **REQUESTS** the PRC in collaboration with the Commission to expedite action in this regard;

**III. ON HEADQUARTERS AND HOST AGREEMENTS – Doc. EX.CL/1016(XXXI)**

18. **COMMENDS:**

- i) the spirit of fraternity exerted in addressing matters between the Host Country and the Commission;
- ii) the PRC Sub-Committee on Headquarters and Host Agreements for its guidance in fulfilment of the Headquarters Agreement.

19. **NOTES WITH CONCERN** the numerous outstanding matters in the matrix of pending issues;

20. **REQUESTS** the Host Country of the AU Headquarters and the Commission to accelerate the resolution of all pending matters based on timelines set by the PRC Sub-Committee on Headquarters and Host Agreements;

21. **REITERATES** the need for the Host Country of the AU Headquarters to comply with all applicable international rules on immunities and privileges and the AU Headquarters agreement;

22. **REQUESTS** timely communication to all Permanent Missions of AU Member States and Commission on changes to domestic regulations, rules and policies that affect the privileges immunities and facilities enjoyed by officials of Member States and staff members of the Commission;

23. **FURTHER REQUESTS** PRC Sub-Committee on Headquarters and Host Agreements and the Commission to undertake a review of the Headquarters Agreement with the view to enhancing its implementation;

24. **TAKES NOTE** of the request of the Host Country of the Headquarters to be a permanent member of the Sub-Committee on Headquarters and Host Agreements as well as to have a Liaison Office within the premises of the AU Headquarters and **REQUESTS** the PRC Sub-Committee on Headquarters and

Host Agreements to consider the request and make its recommendations for consideration by the PRC;

**25. REQUESTS** the Commission

- i) to bring to the attention of the PRC Subcommittee on Headquarters and Host Agreements other implementation issues related to Organs, Institutions and Offices outside the Headquarters of the Union;
- ii) to report on the implementation of this decision during the AU Summit of January 2018.

**IV. ON AUDIT MATTERS - Doc. EX.CL/1016(XXXI)vi**

**26. CALLS UPON** the Commission and AU organs to address the issues raised by the PRC Sub-Committee on Audit Matters including the following:

**A. On Commission Budget Performance for the year 2016:**

**27. REQUESTS** the Commission to:

- i) facilitate the budget only those programmes that have secured funding and use supplementary budget if additional funds are secured after the approval of the budget;
- ii) consider modalities for financing the various Agenda 2063 Flagship projects by consulting with the relevant stakeholders with a view to developing investment vehicles through which the diaspora, the private sector, and others can be incentivized to participate in financing the AU flagship projects;
- iii) urge departments to budget according to the priority areas to avoid over-budgeting;
- iv) engage Partners with a view to understand why they could not fund the programs that they pledged on.
- v) adjust the scheduling of programs to reflect the timing of the funds availability;
- vi) take concrete measures to address cases of financial mismanagement including implementing disciplinary and judicial measures
- vii) appoint a team of independent auditors to regularly audit the financial records of the Union to ensure transparency and accountability and forward the reports to Member States;

- viii) the Pass-Through-Projects should be excluded from the overall AU budget and be treated separately.

**B. On the Implementation Matrix of Audit Recommendations:**

**28. REQUESTS the Commission:**

- i) to strictly enforce the sanction regime provided in the relevant Rules and Regulations of the Union on any official or staff member who fails to implement audit recommendations and disciplined in accordance with the provisions of the Staff Rules and Regulations of the Union, in order to ensure accountability;
- ii) to consider the outcome of audits (i.e. implementation rate of audit recommendations) as part of the Performance Appraisal system of AU.
- iii) to strictly implement the Policy for Debt Collections and Write-offs. The policy should be implemented strictly and any proposal for write-off should be based on investigation, taking into account all the recovery options. In the meantime, the Commission to continue to recover all the outstanding receivables;
- iv) to enhance and computerize with a view to ensure that all staff records including the debts/loans are accurately captured.
- v) the Report on Matrix of Audit Recommendations to provide specific details of action taken and state clearly the status of what exactly is still in progress along with a deadline.
- vi) to institute Financial Sanction for non-performance of departments. In this regard, the departments/organs should be given budget allocation based on:
  - a) The rate of their previous budget execution;
  - b) The implementation rate of the audit recommendations.
- vii) there is need to schedule a joint PRC Subcommittee (Audit Matters and General Supervision) meeting with the Deputy Chairperson of the Commission (DCP) sometime after the June/July 2017 Summit in order to discuss in detail the financial and administrative matters facing the Commission with a view to ensure a positive change takes place. The meeting should come up with a Progress Report to be tabled to the PRC meeting;

viii) the Office of Internal Audit (OIA) should assist to place responsibility i.e. determine the Officers responsible for the losses caused by the non-collection of debts when staff separated (based on the list of debts for write-off) and in accordance with the existing AU policies. Disciplinary action should be taken on the culprits;

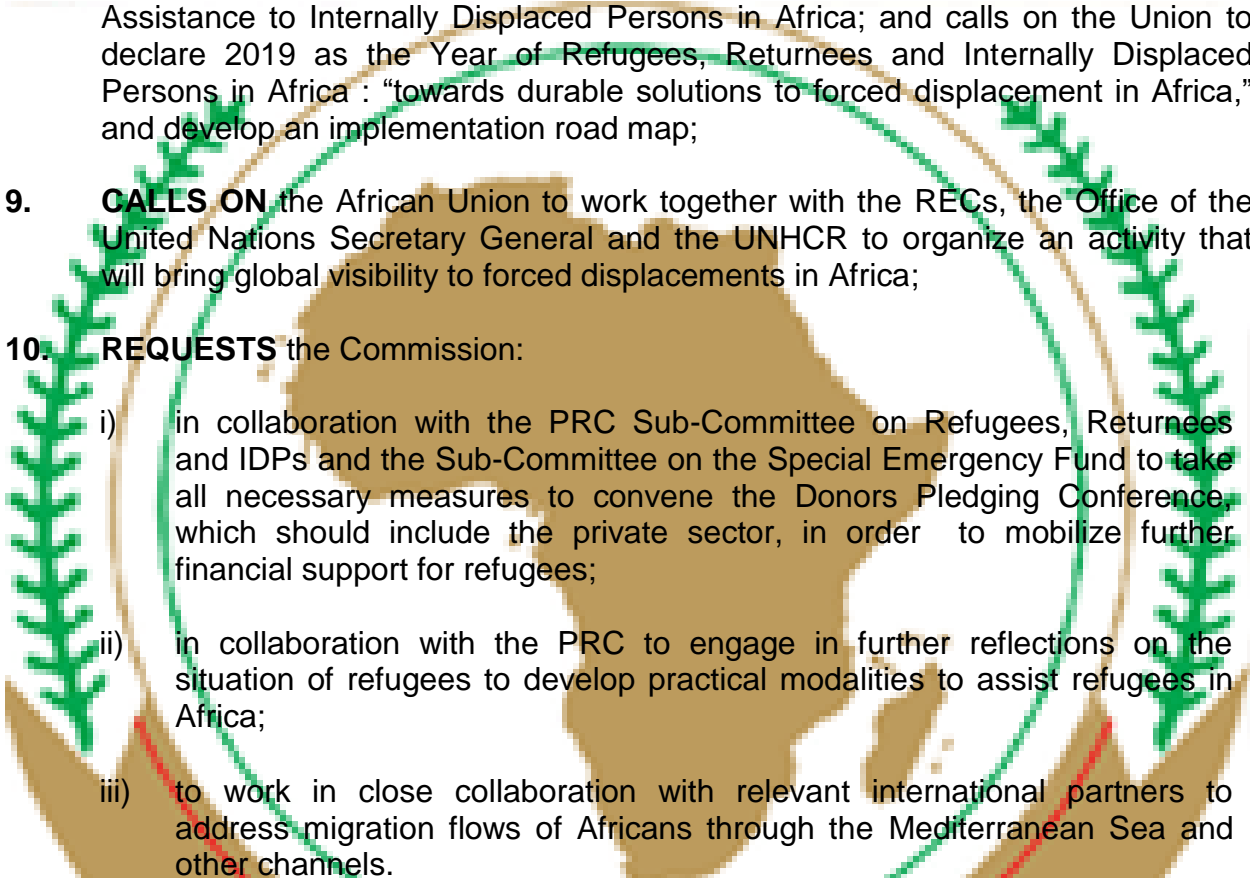
**29. REQUESTS** the Commission to report on the implementation of this decision during the AU Summit of January 2018.



**DECISION ON HUMANITARIAN SITUATION IN AFRICA**  
**Doc. EX.CL/1018(XXXI)**

**The Executive Council,**

1. **NOTES WITH CONCERN** the rapidly changing humanitarian landscape and the growing complexity of humanitarian crises which is affecting millions of people across the continent;
2. **EXPRESSES DEEP CONCERN**
  - i) of the dire humanitarian situation of migrants in Mediterranean Sea trying to cross over to Europe;
  - ii) regarding situation of refugees in Africa and **CALLS ON** all stakeholders, Member States and international organizations to look at the root causes of refugees in Africa, working collectively on finding solutions to conflicts on the continent.
3. **COMMENDS** the invaluable efforts made by Member States in hosting refugees and facilitating the delivery of humanitarian assistance and **CALLS** on all stakeholders to provide the necessary support in handling the refugee situation in Africa;
4. **REQUESTS** the Commission to improve the reporting methods on refugee situation and to rely on credible sources of data, especially from Member States in order to reflect updated and faithful information on the situation of refugees in Africa; ;
5. **WELCOMES** the New York Declaration adopted at 71st Session of the UNGA and the commitment towards the adoption of a global compacts on refugees and on the safe and orderly migration, by 2018 and the comprehensive refugee response framework (CRRF) for large scale movements of refugees including tackling protracted situations;
6. **RECALLS** the various Decisions of the Executive Council and the Assembly on Alternative Sources of Financing the AU, and **REITERATES** the imperative need to have predictable, reliable and sustainable resources to enable AU fulfil its humanitarian responsibilities and **CALLS ON** the Commission in collaboration with the PRC Sub-Committee on SEAF and PRC Sub-Committee on Refugees, Returnees and Displaced Persons to organize a Donors'/Pledging Conference to raise resources to replenish the Special Emergency Fund for humanitarian response;

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7. **CALLS ON** Member States to take measures to shift from managing and responding to humanitarian crises as they occur to implement effective measures for preparedness and building resilience, where applicable, with effective measures for early warning and early response, where applicable;
8. **RECOGNIZES** that 2019 will mark the 50<sup>th</sup> Anniversary of the 1969 OAU Convention Governing the Specific Aspects of Refugee Situations in Africa and the 10<sup>th</sup> anniversary of the African Union Convention for the Protection and Assistance to Internally Displaced Persons in Africa; and calls on the Union to declare 2019 as the Year of Refugees, Returnees and Internally Displaced Persons in Africa : “towards durable solutions to forced displacement in Africa,” and develop an implementation road map;
9. **CALLS ON** the African Union to work together with the RECs, the Office of the United Nations Secretary General and the UNHCR to organize an activity that will bring global visibility to forced displacements in Africa;
10. **REQUESTS** the Commission:
- i) in collaboration with the PRC Sub-Committee on Refugees, Returnees and IDPs and the Sub-Committee on the Special Emergency Fund to take all necessary measures to convene the Donors Pledging Conference, which should include the private sector, in order to mobilize further financial support for refugees;
  - ii) in collaboration with the PRC to engage in further reflections on the situation of refugees to develop practical modalities to assist refugees in Africa;
  - iii) to work in close collaboration with relevant international partners to address migration flows of Africans through the Mediterranean Sea and other channels.

**DECISION ON THE PROPOSAL OF THE COMMISSION ON THE  
LIQUIDATION OF THE LIABILITIES OF THE DISSOLVED  
AFRICAN REHABILITATION INSTITUTE (ARI)  
Doc. EX.CL/1020(XXXI)**

**The Executive Council,**

1. **TAKES NOTE** of the Proposal of the Commission on the liquidation of the liabilities of the dissolved African Rehabilitation Institute (ARI) in order to pay the audited dues to deceased, former and redundant ARI staff members;
2. **ENDORSES** the following recommendations as contained in the Report:
  - i) The Commission pays outstanding subvention from 2011 to 2013 of US\$150,000 from Member States' contributions towards the liquidation of the liabilities of ARI;
  - ii) The nineteen (19) ARI Member States that are in arrears in their contributions to ARI, be billed by the Commission for 15% of their audited arrears for the period 2011-2013;
  - iii) Payments owed to ARI staff are done in proportion to funds received from the Commission and ARI Member States, i.e. that the dues to ARI staff are offset as payments come in, for them not to wait another year for any payments;
  - iv) Those remaining ARI Member States that still owe arrears to ARI in 2018, are billed by the Commission for 30% of their audited arrears to ARI, in addition to their annual assessed contribution to the AU Commission;
  - v) The Executive Council receives a report from the Commission on the liquidation of the liabilities of the ARI at their Ordinary Session January 2018, as requested for already in January 2013.



## DECISION ON THE SPECIALIZED TECHNICAL COMMITTEES

The Executive Council,

1. **TAKES NOTE** of the Reports of the Specialised Technical Committees (STC) and the recommendations contained therein;
  - I. **ON THE FIRST ORDINARY SESSION OF THE SPECIALIZED TECHNICAL COMMITTEE ON TRANSPORT, TRANSCONTINENTAL AND INTERREGIONAL INFRASTRUCTURE, ENERGY AND TOURISM (STC-TTIIET) - Doc. EX.CL/1024(XXXI)**
2. **COMMENDS:**
  - i) the Ministers responsible for Transport, Energy and Tourism for the successful holding of the First meeting of their Specialised Technical Committee (STC) and achieving notable outcomes for the development of the transport, energy and tourism sectors in Africa;
  - ii) the Government and people of the Togolese Republic for the generous hosting of the historic event of the First Meeting of the AU Specialised Technical Committee (STC) on Transport, Transcontinental and Interregional Infrastructure, Energy and Tourism.
3. **RECOGNIZES WITH APPRECIATION** the Member States which have declared their Solemn Commitment to implementation of the Yamoussoukro Decision towards the establishment of a Single African Air Transport Market (SAATM) and urges all other Member States to subscribe to the Solemn Commitment to the SAATM.
4. **REQUESTS** the Commission to:
  - i) submit the Rules of Procedure of the Specialized Technical Committee on Transport, Transcontinental and Interregional Infrastructure, Energy and Tourism to the next Session of the STC on Justice and Legal Affairs for clearance and, thereafter, to the Executive Council for consideration;
  - ii) submit the Regulatory Texts of the Yamoussoukro Decision on the liberalisation of air transport markets in Africa to the next Session of the STC on Justice and Legal Affairs for clearance and, thereafter, to the Executive Council for consideration;
  - iii) disseminate the endorsed: (i) Report of the First Ordinary Meeting of the Specialised Technical Committee (STC) on Transport, Transcontinental and Interregional Infrastructure, Energy and Tourism (STC-TTIIET); (ii) the Lomé Declaration of the STC-TTIIET; (iii) the African Union Plans of Action

on Energy, Transport (Air, Maritime, Railway and Road), Tourism and PIDA; and (iv) the Windhoek Ministerial Declaration and Targets on Aviation Security Facilitation in Africa to all Member States and other stakeholders as well as facilitate their smooth implementation through capacity building measures whenever necessary;

- iv) take all the necessary measures within its mandate in collaboration with the Regional Economic Communities, specialised institutions, Member States, international partners and other stakeholders to speed up the implementation of the African Union Plans of Action on Energy, Transport (Air, Maritime, Railway and Road), Tourism and PIDA a view to enhancing integration and socio-economic development of Africa;
- v) ensure the elaboration and prioritisation of implementation of appropriate energy, transport, tourism and infrastructure programmes, including unlocking access to infrastructure for rural and remote areas, that are crucial for the successful achievement of the AU Agenda 2063 and the Global Agenda 2030.

5. **APPEALS** to the African Development Bank, the United Nations Economic Commission for Africa, the European Union, the World Bank and other development partners to support the implementation of the African Union Plans of Action on Energy, Transport (Air, Maritime, Railway and Road), Tourism and PIDA.

**II. ON THE SECOND MEETING OF THE STC ON HEALTH POPULATION AND DRUG CONTROL, ADDIS ABABA, 20-24 MARCH 2017 - Doc. EX.CL/1025(XXXI)**

- 6. **DETERMINES** to ensure that the Africa CDC is an African-owned institution that adds value to Public Health on the continent and is highly credible; **ENDORSES** that 0.5% of the AU annual operational budget be allocated to the Africa CDC for disease surveillance, detection and response;
- 7. **EXPRESSES APPRECIATION** to the Republic of Kenya for making voluntary donation of US\$1million and urged other Member States to make voluntary contribution to the Africa CDC;
- 8. **REQUESTS** the Commission to conduct one more round of continental consultations on the Draft Treaty and implementation of the milestones towards the establishment of the African Medicine Agency (AMA); and submit the Draft Treaty to a meeting of the Ministers of Health, as a Working Group of the STC-HPDC-2 for onward transmission to the STC on Justice Legal Affairs;
- 9. **ENDORSES** the recommendation on the establishment of a Fund for African Pharmaceutical Development (FAP-D) and **REQUESTS** the Commission and the

NEPAD Agency to establish a Technical Working Group to define the modalities, scope of work, legal and institutional implications of a Fund; and to seek support of the STC on Finance, Monetary Affairs, Economic Planning and Integration; and the STC on Trade, Minerals and Industry for the establishment, funding and implementation of the Fund.

10. **RECOMMENDS** to the Assembly the adoption of the attached draft “Declaration on Accelerating the Implementation of the International Health Regulations (IHR) in Africa”.

**III. ON THE REPORT OF THE SECOND ORDINARY SESSION OF SPECIALIZED TECHNICAL COMMITTEE ON SOCIAL DEVELOPMENT, LABOUR AND EMPLOYMENT OF THE AFRICAN UNION - Doc. EX.CL/1026(XXXI)**

11. **RECOMMENDS** the draft Protocol to the African Charter on Human and People’ Rights on the Rights of Persons with Disabilities for onward transmission to the STC on Justice and Legal Affairs and adoption by the Assembly of the Union;
12. **URGES** Member States to sign and ratify the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Older Persons in Africa to expeditiously reap the demographic dividend of the contributions of this important population group;
13. **REQUESTS** the Commission
- i) in collaboration with the African Development Bank (AfDB), ILO and UNECA to define the modalities, scope of work, legal and institutional implications of the Employment and Social cohesion Fund and to seek the support of the STC on Finance, Monetary Affairs, Economic Planning and Integration for the establishment, funding and implementation of the Fund;
  - ii) to review the implementation of the AUC/AfDB/ILO/ECA Joint Initiative on Youth Employment to be in line with the AU Roadmap on the Demographic Dividend and incorporate the new AfDB Strategy on Youth Employment in Africa.
14. **ACCEPTS** the offer by the Republic of Guinea to host the Third Ordinary Session of the Specialized Technical Committee in April 2019;
15. **RECOMMENDS** the Algiers Declaration on Investment in Employment and Social Security for Harnessing the Demographic Dividend for adoption by the Assembly.

**DECISION ON THE TRANSFER OF THE FOUTA DJALLON HIGHLANDS  
INTEGRATED NATURAL RESOURCES PROGRAMME  
CONAKRY TO THE ECOWAS COMMISSION  
Doc. EX.CL/1027(XXXI)**

**The Executive Council**

1. **TAKES NOTE** of the Report the AU Commission regarding the transfer of the Fouta Djallon highlands integrated natural resources programme;
2. **RECOGNIZES** the relevance of the mandate and activities of the Fouta Djallon Highland Program for all countries covered by the Programme and the necessity of its transfer to ECOWAS for better efficiency while keeping its headquarters at the same location;
3. **REQUESTS:**
  - i) the AU Commission and ECOWAS to work in synergy in ensuring a smooth transfer of the Programme in the spirit of the ongoing AU Reform process including the financial implications;
  - ii) Member States to provide the needed support to the Programme and enhance mobilization of bilateral and multilateral support from partners.



**DECISION ON THE REPORT OF THE COMMISSION  
ON THE HISSÈNE HABRÉ CASE  
Doc. EX.CL/1040(XXXI)**

**The Executive Council,**

1. **TAKES NOTE** of the Report of the Commission on the implementation of the Assembly decision on the Hissène Habré trial;
2. **CONGRATULATES**, the Republic of Senegal, the Republic of Chad, the Commission, AU Partners, Countries and Institutions that contributed to the establishment and funding of the African Extraordinary Chambers towards the successful conclusion of proceedings in the Hissène Habré case;
3. **WELCOMES** the Decision of the Appeal Chamber of the African Extraordinary Chambers in the Hissène Habré case;
4. **PURSUANT** to Articles 27 and 28 of the Statute of the African Extraordinary Chambers on the need to address reparation for victims and the establishment of a reparation fund for victims,
5. **RECALLS** the Assembly decision, **Assembly/AU/Dec.615 (XXV)**, that decided a Trust Fund on reparations for rightful victims of crimes within the jurisdiction of the African Extraordinary Chamber shall be established under the auspices of the Union;
6. **REQUESTS** the Commission to submit the Statutes of the Trust Fund for victims of Hissène Habré crimes to the Specialized Technical Committee on Justice and Legal Affairs for Consideration and to present it to the Thirtieth Ordinary Session of the Assembly for adoption through the Executive Council January 2018;
7. **AUTHORIZES** the Commission to take necessary consultations with the Government of the Republic of Chad on the establishment of the Secretariat of the Trust Fund, bearing in mind that, the Decision of the African Extraordinary Chambers, the Senegalese Courts will have jurisdiction over all matters arising from the implementation of the African Extraordinary Chambers' decision ;
8. **INVITES** Members States, partners and any other governmental or non-governmental organisation to provide a voluntary contribute to the Trust Fund and fully support the African Union Commission, to ensure the prompt and effective reparation of the victims as per the Decision of the African Extraordinary Appeal Chambers;
9. **APPROVES** the recommendations contained in the Progress Report of the Commission on the Hissène Habré case;

10. **DECIDES** to remain seized of the matter and requests the Commission to report on the progress made on the implementation of this decision at subsequent sessions of the Council.



**DECISION ON THE MID-TERM ACTIVITY REPORT OF THE AFRICAN  
COURT ON HUMAN AND PEOPLES' RIGHTS  
Doc. EX.CL/1029(XXXI)**

**The Executive Council,**

1. **TAKES NOTE** of the Mid-Term Activity Report of the African Court on Human and Peoples' Rights (the Court) for the period 1 January – 30 June, 2017, and the recommendations therein;
2. **NOTES** the request by the Court for more time to engage with other stakeholders to finalize the study on the establishment of a trust fund for the Court, and calls on the African Court, in consultation with the PRC and the Commission, to finalize the study and submit same to the January 2018 Session of the Executive Council;
3. **NOTES WITH CONCERN** the insufficient resources allocated to the Court which may affect its independence and effectiveness, and **CALLS ON** the Permanent Representatives Committee (PRC) and the Commission to work closely with the Court and provide it with the necessary resources it needs to effectively discharge its mandate without interference, including providing technical assistance, guidance and advise in resource mobilization, in a manner consistent with the nature and mandate of the Court;
4. **WELCOMES** the decision to establish a Legal Aid Fund to provide legal assistance to indigent applicants before African Union Human Rights Bodies, and **URGES** the Commission to take all necessary measures to operationalize the said Fund in 2017, and to this end, **INVITES** and **ENCOURAGES** all Member States of the Union as well as other relevant human rights stakeholders on the continent to make generous voluntary contributions to the Fund to ensure its sustainability and success;
5. **TAKES NOTE** of the firm undertaking by Libya to submit to the African Court before the next Ordinary Session of the Executive Council in January 2018, information on concrete measures it has taken to implement the judgment of the Court in Application No. 002/2013 – African Commission on Human and Peoples' Rights against Libya;
6. **NOTES** that, almost two decades after its adoption, only thirty (30) Member States of the African Union have ratified the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights ("Protocol") and only eight (8) of the 30 State Parties, have deposited the declaration required under Article 34 (6) thereof, allowing individuals and NGOs to bring cases to the Court;

**7. CONGRATULATES:**

- i) the thirty (30) Member States that have ratified 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, Niger, Nigeria, Rwanda, South Africa, Sahrawi Arab Democratic Republic, Senegal, Tanzania, Togo, Tunisia and Uganda;
- ii) the eight (8) State Parties that have deposited the declaration under Article 34(6) of the Protocol, namely: Benin, Burkina Faso, Côte d'Ivoire, Ghana, Malawi, Mali, Tunisia and the United Republic of Tanzania;

**8. 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;

**9. 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 Commission, and **URGES** the Government of the United Republic of Tanzania and the African Union Commission, in collaboration with the Court 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;

**10. REQUESTS** the Court:

- i) in collaboration with the PRC to finalize the study on the establishment of a Trust Fund and submit same to the Executive Council in January 2018;
- ii) in collaboration with the PRC and the AU Commission, to report at the next Ordinary Session of the Executive Council in January 2018, on the implementation of this Decision.



**DECISION ON THE FORTY-SECOND ACTIVITY REPORT OF THE AFRICAN  
COMMISSION ON HUMAN AND PEOPLES' RIGHTS  
Doc. EX.CL/1030(XXXI)**

**The Executive Council,**

1. **TAKES NOTE** of the Forty-Second (42<sup>nd</sup>) Activity Report of the African Commission on Human and Peoples' Rights (the "ACHPR") and **URGES** the ACHPR to take into consideration the concerns and reservations expressed by State Parties to the Charter on Human and People's Rights and **AUTHORIZES** the publication of the Report with annexes containing responses from State Parties;
2. **EXPRESSES** its appreciation for the efforts deployed by the ACHPR during the reporting period to promote and protect human rights on the continent;
3. **NOTES WITH APPRECIATION** the positive developments which have been undertaken by States Parties to improve the human rights situation within their respective jurisdictions, and **URGES** the States Parties to take committed action to address the areas of concerns highlighted by the Commission;
4. **URGES** States Parties to submit in a timely manner their Periodic Reports in compliance with Article 62 of the African Charter and Article 26 of the Maputo Protocol and to reply promptly to the requests of information by the ACHPR on allegations of breach of human rights in State Parties;
5. **REITERATES ITS CALL** to States Parties to sign, ratify, domesticate and implement all regional and international human rights instruments, and **URGES** States Parties to sign the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons in Africa;
6. **ENCOURAGES** States Parties to comply with requests for Provisional Measures, Decisions and Recommendations of the ACHPR, as set out in the Communications to which they are parties, and **URGES** States Parties to inform the ACHPR of the measures taken to implement its Decisions in line with Rule 112 of the ACHPR's Rules of Procedure;
7. **CALLS ON** the Commission to expedite recruitment for various positions at the ACHPR Secretariat, particularly with regards to Arabic and Portuguese Legal Officers and Translators;
8. **ALSO CALLS** on the ACHPR to rely on credible and verified sources of information in reporting on the situation of human rights in Member States and to indicate the said source in its activity report;

9. **FURTHER CALLS** on the ACHPR to continue implementing the Executive Council decision on the criteria to be met in granting the observer status to NGOs;

10. **REQUESTS**

i) the AU Commission to conduct a mission to assess governance and accountability issues in the ACHPR in order to facilitate a subsequent meeting between the leaderships of the Commission and the ACHPR to address the findings;

ii) the AU Commission in close collaboration with the ACHPR and the host country to speed up the process of construction of the new premises of the Commission in Banjul and report on progress made to the Executive Council in January 2018.

11. **URGES** the AU Commission to harmonize the emoluments of the Members of the Commission in line with Executive Council decisions Ext/EX.CL/Dec.1(XIII) which requests “the African Union Commission to come up with a proposal to harmonize the remuneration of elected officials of AU organs as per the Executive Council and Assembly Decisions for consideration and adoption during the July 2012 Summit;”

12. **EXPRESSES ITS APPRECIATION** to the Republic of Niger for the excellent facilitation accorded to the ACHPR during the 60<sup>th</sup> Ordinary Session in May 2017, and **CALLS ON** other States Parties to consider hosting one of the future Sessions of the ACHPR;

13. **CALLS ON** States Parties to participate in the commemoration of the 30<sup>th</sup> anniversary of the establishment of the ACHPR, which will be celebrated during the 61<sup>st</sup> Ordinary Session, from 01 to 15 November 2017, in Banjul, The Gambia.

**DECISION ON THE REPORT OF THE ECONOMIC SOCIAL  
AND CULTURAL COUNCIL (ECOSOCC)  
Doc. EX.CL/1031(XXXI)**

**The Executive Council,**

1. **TAKES NOTE** of the Report of ECOSOCC and the recommendations contained therein;
2. **CONGRATULATES** the newly elected leadership and outgoing leadership of ECOSOCC and **ENCOURAGES** the organ to effectively play its role and provide the expected advisory functions;
3. **COMMENDS:**
  - i) ECOSOCC for the activities undertaken during the period under review including the operationalization of Cluster Committees;
  - ii) The Commission for its efforts that led to the successful outcomes of the 2<sup>nd</sup> Session of the ECOSOCC General Assembly including the mid-term elections.
4. **EXPRESSES** concerns about the performance of ECOSOCC as an advisory role to the Union;
5. **REQUESTS** the Commission:
  - i) in collaboration with ECOSOCC and Member States to implement the previous Executive Council Decisions EX.CL/Dec.833(XVII) on the establishment of a dedicated secretariat within CIDO and EX.CL/Dec.849(XXV) which calls for an in-depth study regarding the functioning of ECOSOCC since its inception to provide appropriate recommendations on modalities to revamp the operations of the organ, in line with the current reforms of the AU that would support the principle of Africa ownership;
  - ii) to submit the evaluation report on the relocation of ECOSOCC to the PRC for consideration as well as the structural, legal and financial implications of ECOSOCC relocation including the appointment of an interim director for onward submission to the Executive Council in January 2018.

**DECISION ON THE ACTIVITY REPORT OF THE AFRICAN UNION  
COMMISSION ON INTERNATIONAL LAW (AUCIL)  
Doc. EX.CL/1032(XXIX)**

**The Executive Council,**

1. **TAKES NOTE** of the Activity Report of the African Union Commission on International Law (AUCIL) for the period 30 July 2016 to 30 June 2017 together with the recommendations contained therein;
2. **EMPHASIZES** the importance of the legal studies on international law carried out by AUCIL at the request of the Policy Organs of the Union and its member States, as well as those initiated by itself on matters of International Law of interest to the African Union and its member States;
3. **COMMENDS** the AUCIL for its efforts towards the realisation of one of the aspirations of Agenda 2063, in order to achieve “an Africa of good governance, democracy, respect for human rights, justice and the rule of law” and **UNDERScores** the need to collaborate with the African Governance Architecture of the African Union on this matter;
4. **ENCOURAGES:**
  - i) Member States, other Organs and departments of the Union to extend necessary support to and work with the AUCIL in the preparation of its Studies and draft instruments, *inter alia*, providing information that AUCIL may request or need for this purpose in the field of international law and the African Union Law;
  - ii) the AUCIL, within the limits of available resources, to bolster its activities aimed at facilitating the contributions of the Member States of the African Union and African scholars and practitioners to the progressive development of International Law and its codification and the development and dissemination of African Union Law;
5. **CALLS UPON** Member States to consider increasing the Budget of the African Union Commission on International Law to enable it to conduct its research studies and discharge its mandate more effectively;
6. **TAKES NOTE** and **UNDERScores** the importance of the Statute of the African Union Commission on International Law (AUCIL) which requires the African Union Commission (AUC) to provide the necessary means, staff and infrastructure to the AUCIL Secretariat to enable it carry out its duties effectively, and **REQUESTS** the Commission to provide the AUCIL Secretariat with a Division with sufficient human resources in the proposed new structure of the Office of the Legal Counsel;

7. **ALSO TAKES NOTE** of the visit of the AUCIL delegation to Equatorial Guinea and the offer of its President to host its Headquarters and the interests of the Republic of Ghana and Egypt to host this Organ and **RECALLS** that hosting of any AU Organ shall be undertaken in accordance with the Criteria for Hosting AU Organs adopted by the Executive Council at its 7<sup>th</sup> Ordinary Session in July 2005;
8. **ENCOURAGES** the AUCIL to hold its yearly international law Forum in close collaboration with the African political leadership, the private sector, academia and civil society to discuss developments and constraints of International Law as well as measures to be taken to realise the Aspirations and goals of Agenda 2063.
9. **REQUESTS:**
- i) Member States to abide by their obligations under the Convention of Privileges and Immunities of the Organization of African Unity of 25 of October 1965 and the principles of International Law;
  - ii) The Government of the Federal Republic of Ethiopia to abide by its obligation under the Convention of Privileges and Immunities of the Organization of African Unity and the principles of International Law and to immediately take necessary measures to guarantee the non-occurrence of such unfortunate incidents<sup>2</sup>.



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<sup>2</sup> Reservation entered by Ethiopia.

**DECISION ON THE REPORT OF THE AFRICAN COMMITTEE OF EXPERTS  
ON THE RIGHTS AND WELFARE OF THE CHILD (ACERWC)  
Doc. EX.CL/1033(XXXI)**

**The Executive Council,**

1. **TAKES NOTE** 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;
3. **REQUESTS** ACERWC to submit all documents to the PRC prior to consideration by the Executive Council;
4. **URGES** Member States who have not yet ratified the Charter, to expedite their ratification process; and **URGES** the Committee to continuously engage with the eleven (11) State Parties that have not reported to the Committee with a view to facilitating their reporting efforts;
5. **REITERATES** the right of Member States to formulate reservations on the ACERWC Charter in accordance with the relevant international laws, particularly the Vienna Convention on the Law of treaties of 1969;
6. **APPRECIATES:**
  - i) the Government of Kenya for the progress achieved in implementing the Decision and Recommendations of the ACERWC in the Communication regarding the challenges of children of Nubian descendants in Kenya; and **ENCOURAGES** the Government to work towards the full implementation of the Recommendations of the ACERWC;
  - ii) the Government of Senegal for the progress it achieved in implementing the Decision and Recommendations of the ACERWC in the Communication regarding talibés children who are forced to begging on the streets of Senegal; and **ENCOURAGES** the Government to work towards the full implementation of the Recommendations of the ACERWC;
  - iii) the Government of Malawi for adopting a Constitutional Amendment Bill which increases the age of majority from 16 to 18 years of age, which is in line with the definition of the child as it is stated in Article 2 of the African Children's Charter;
  - iv) the Government of the Gambia and the Kingdom of Lesotho for successfully hosting the 28<sup>th</sup> and 29<sup>th</sup> Ordinary Sessions of the ACERWC;

- v) the Government of Mauritania for facilitating the mission to the State Party in March/April 2017;
- vi) the Government of the Central African Republic for ratifying the ACERWC;

7. **CALLS UPON** the Member States to provide ACERWC with the required financial and human resources needed in order to fulfil its mandate efficiently;

8. **NOTES:**

- i) the findings of the continental study on the impact of conflicts and crises on children in Africa that can harm them, and **URGES** the concerned Member States to address the plights of children within their territory who are affected by crises and conflicts;
- ii) the appointment by the ACERWC of Mme Marie-Christine Bocoum as the AU Special Rapporteur on Ending Child Marriage and **CONGRATULATES** the outgoing Special Rapporteur, Mme Fatima-Zohra Sebaa, for the work she has done during her term of office;

9. **ADOPTS:**

- i) the theme for the Day of the African Child 2017: “**Leave No Child Behind for Africa’s Development**” and **REQUESTS** Member States to commemorate the Day of the African Child;
- ii) the ‘Africa’s Agenda on Children’s Rights: Fostering an Africa fit for Children’ (Agenda 2040) as an African Union document and **URGES** Member States to work towards the full implementations of the aspirations included in the Agenda.

**DECISION ON CONCEPT NOTE FOR PROJECT 2018  
AND THE 2017-2021 AFRICAN UNION ADVISORY  
BOARD ON CORRUPTION STRATEGIC PLAN  
Doc.EX.CL/1034(XXXI)**

**The Executive Council**

1. **RECALLS** Decision EX.CL/Dec.951(XXX) requesting the AUABC, in collaboration with the PRC and the AU Commission, to revisit the theme and make appropriate proposals;
2. **TAKES NOTE** of the Concept Note on Project 2018 which outlines the rationale, activities and theme for 2018 **'Winning The Fight Against Corruption: A Sustainable Path to Africa's Transformation'**;
3. **REQUESTS** the AUABC to carry out wider consultations with Member States including national anti-corruption agencies in order to enrich the Concept Note and the draft AU/ABC 2017-2021 Strategic Plan;
4. **ALSO REQUESTS** the AU Commission to convene an Extraordinary Session of Executive Council or its Bureau in August/September 2017 in order to consider and adopt the Concept Note;
5. **RECOMMENDS** H.E Mr. Muhammadu Buhari, President of the Federal Republic of Nigeria as the Champion of the theme for 2018.





**DECISION ON THE ACTIVITY REPORT OF THE  
PAN-AFRICAN PARLIAMENT (PAP)  
DOC. EX.CL/1028(XXXI)**

**The Executive Council,**

1. **TAKES NOTE** of the Activity Report of the Pan-African Parliament;
2. **DECIDES** that elections observation missions organized in Member States should remain unified and be governed by the relevant financial and administrative regulations;
3. **ALSO DECIDES** that allowances and entitlements of members of Organs including the Pan-African Parliament should be considered in a comprehensive manner by the competent PRC Sub-Committee before submission through PRC to the Policy Organs for decision;
4. **CALLS UPON** the Pan-African Parliament in close collaboration with the Commission to identify and address the challenges delaying the ratification of the PAP Protocol by all Member States within the framework of the existing follow-up mechanisms;
5. **COMMENDS** the Pan-African Parliament as an African Union Organ representing the people of Africa, for its laudable efforts in defending the African Union Member States against unilateral sanctions, which led to the partial lifting of the unjustly unilateral sanctions imposed by the United States of America on the Republic of Sudan and **CALLS UPON** the United States of America to fully lift the sanctions;
6. **FURTHER CALLS UPON** the Pan-African Parliament to apply the African Union values, rules and regulations in managing all activities of the organ, including rotation of the Bureau and presidency, and particularly apply the staff rules and regulations as well as the relevant Executive Council's Decisions on the compulsory principles to be respected in conducting recruitment process such as transparency and fairness;
7. **REQUESTS** the Commission to conduct an investigation on the recent recruitment process of the Clerk, Deputy Clerk and other staff, and submit concrete recommendations including the oversight role of the Commission on recruitments by organs and report to the Executive Council in January 2018.

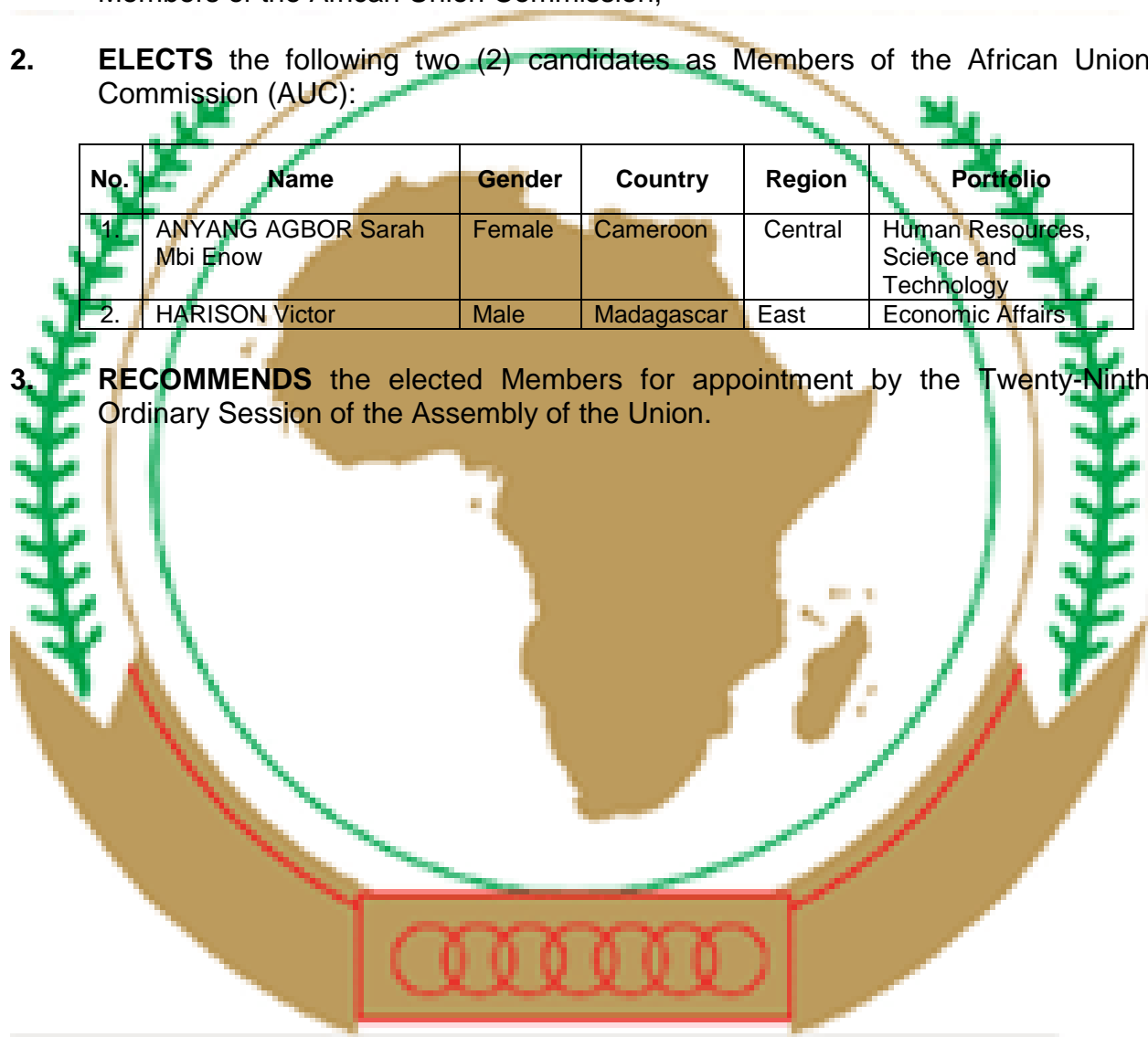
**DECISION ON THE ELECTION OF TWO (2) MEMBERS  
OF THE AFRICAN UNION COMMISSION  
Doc. EX.CL/1037(XXXI)**

**The Executive Council,**

1. **TAKES NOTE** of the Report of the Commission on the Election of Two (2) Members of the African Union Commission;
2. **ELECTS** the following two (2) candidates as Members of the African Union Commission (AUC):

No.	Name	Gender	Country	Region	Portfolio
1.	ANYANG AGBOR Sarah Mbi Enow	Female	Cameroon	Central	Human Resources, Science and Technology
2.	HARISON Victor	Male	Madagascar	East	Economic Affairs

3. **RECOMMENDS** the elected Members for appointment by the Twenty-Ninth Ordinary Session of the Assembly of the Union.



**DECISION ON THE ELECTION OF FOUR (4) MEMBERS OF THE  
AFRICAN UNION ADVISORY BOARD ON CORRUPTION  
Doc. EX.CL/1038(XXXI)**

The Executive Council,

1. **TAKES NOTE** of the Report of the Commission on the Election of the Four (4) Members of the African Union Advisory Board on Corruption (AUABC);
2. **ELECTS** the following Members of the Board for **a two (2)- year term:**

No.	Name	Gender	Country	Region
1	AIT CHAALAL Hocine	Male	Algeria	Northern
2	MOUGEMBA née KIBONGUI-SAMINOU Anne-Marie Rose	Female	Congo	Central
3	SEJA Sabina	Female	Tanzania	Eastern

3. **RECOMMENDS** the elected Members of AUABC by the Twenty-Ninth Ordinary Session of the Assembly for appointment;
4. **FURTHER RECOMMENDS** that the remaining one (1) Member will be elected at the Thirty Second Ordinary Session of the Executive Council only from among the Female Candidates from the Northern Region in accordance with the Modalities on Implementation of Criteria for equitable Geographical and Gender Representation in the African Union adopted by the Executive Council in January 2016 in Decision EX.CL/Dec.907 (XXVIII).

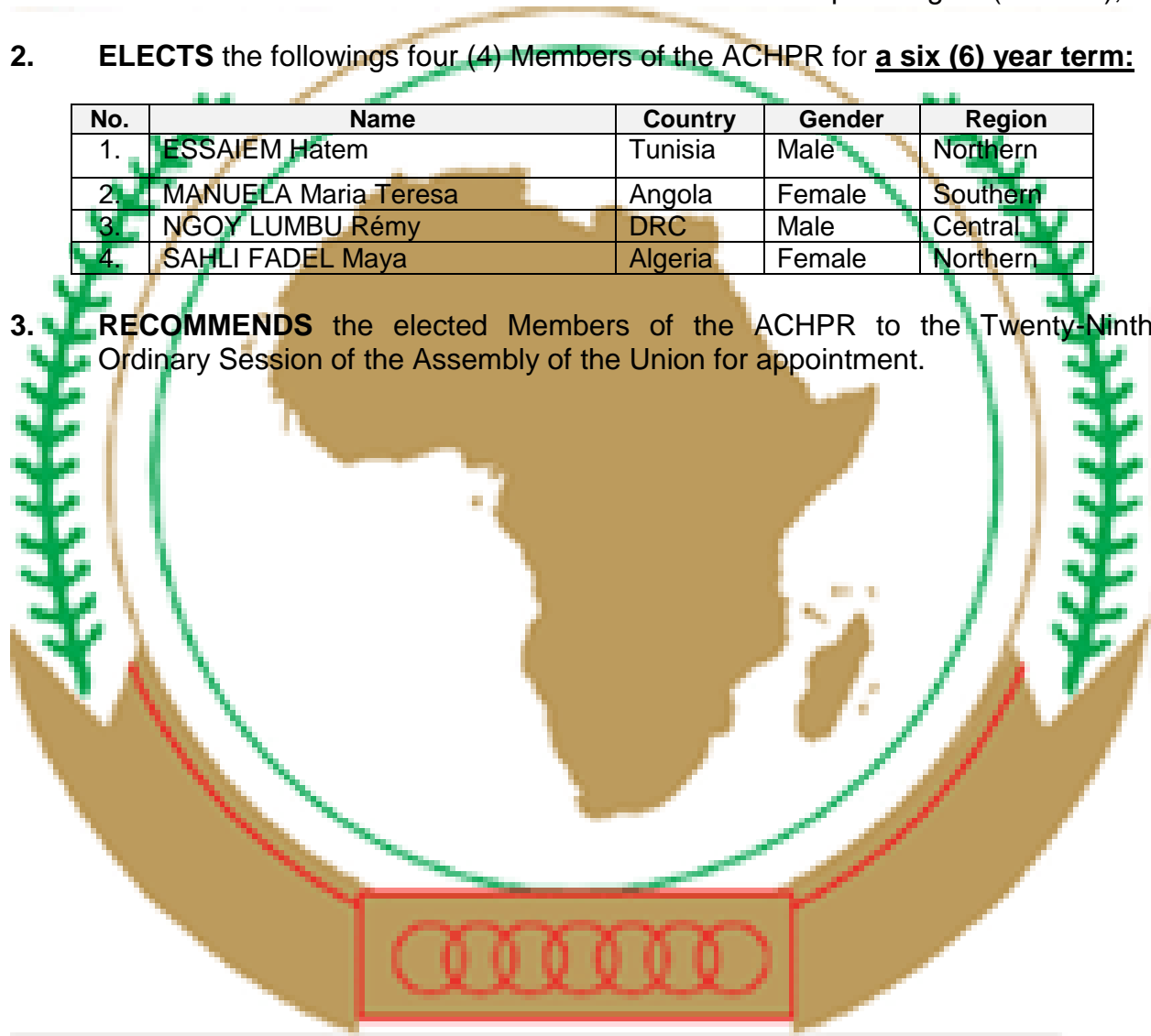
**DECISION ON THE ELECTION OF FOUR (4) MEMBERS OF THE AFRICAN  
COMMISSION ON HUMAN AND PEOPLES' RIGHTS (ACHPR)  
Doc. EX.CL/1039(XXXI)**

The Executive Council,

1. **TAKES NOTE** of the Report of the Commission on the Election of the Four (4) Members of the African Commission on Human and Peoples' Rights (ACHPR);
2. **ELECTS** the followings four (4) Members of the ACHPR for **a six (6) year term:**

No.	Name	Country	Gender	Region
1.	ESSAIEM Hâtem	Tunisia	Male	Northern
2.	MANUELA Maria Teresa	Angola	Female	Southern
3.	NGOY LUMBU Rémy	DRC	Male	Central
4.	SAHLI FADEL Maya	Algeria	Female	Northern

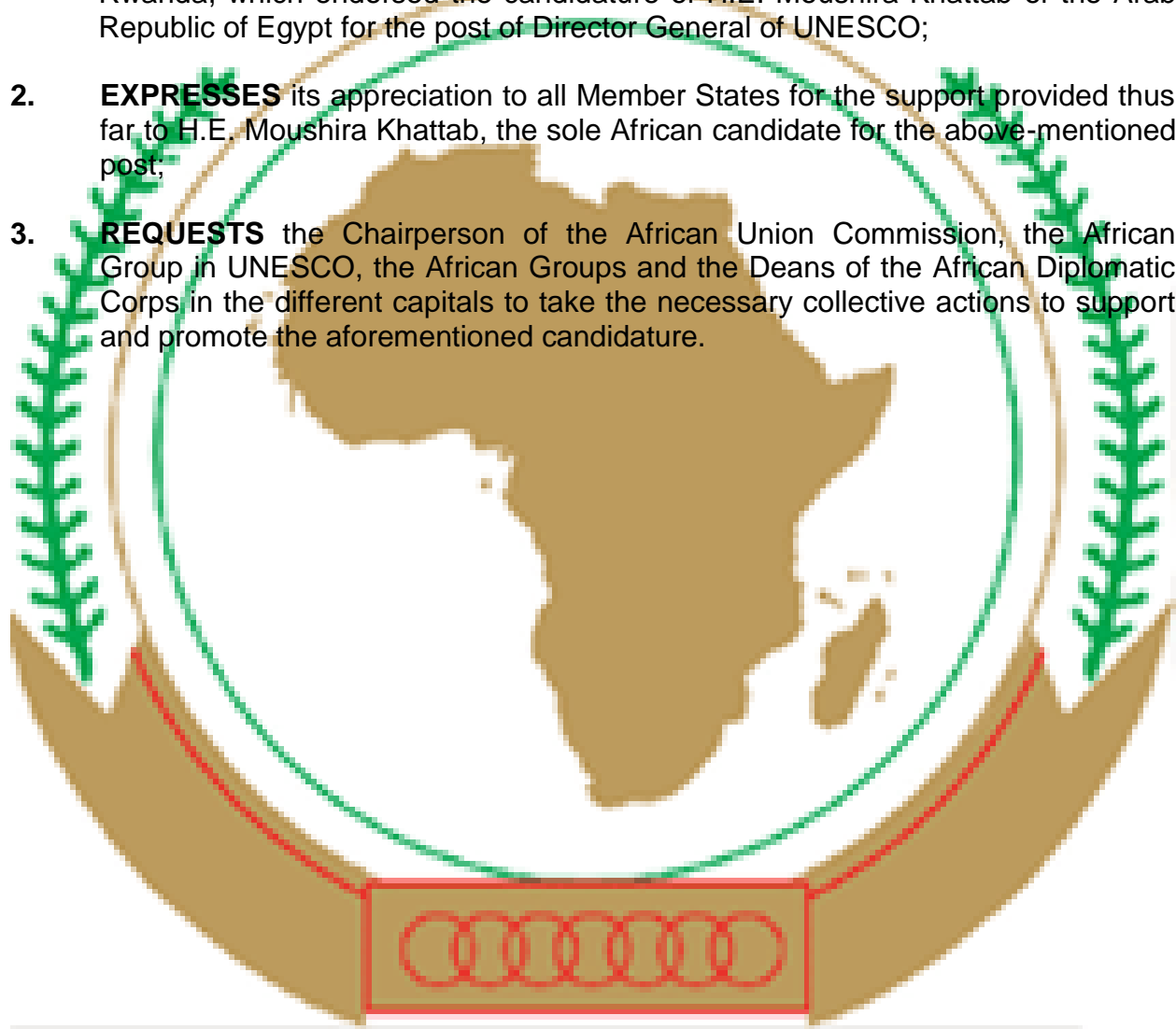
3. **RECOMMENDS** the elected Members of the ACHPR to the Twenty-Ninth Ordinary Session of the Assembly of the Union for appointment.



**DECISION ON THE AFRICAN UNION ENDORSEMENT OF CANDIDATURE  
OF MINISTER MOUSHIRA KHATTAB TO THE POST OF DIRECTOR  
GENERAL OF THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC  
AND CULTURAL ORGANIZATION (UNESCO)**

**The Executive Council,**

1. **RECALLS** its decision EX.CL/Dec.938(XXIX) adopted in June 2016 in Kigali, Rwanda, which endorsed the candidature of H.E. Moushira Khattab of the Arab Republic of Egypt for the post of Director General of UNESCO;
2. **EXPRESSES** its appreciation to all Member States for the support provided thus far to H.E. Moushira Khattab, the sole African candidate for the above-mentioned post.
3. **REQUESTS** the Chairperson of the African Union Commission, the African Group in UNESCO, the African Groups and the Deans of the African Diplomatic Corps in the different capitals to take the necessary collective actions to support and promote the aforementioned candidature.



**DECISION ON AFRICAN CANDIDATURES  
WITHIN THE INTERNATIONAL SYSTEM  
Doc. EX.CL/1041(XXXI)**

The Executive Council,

1. **TAKES NOTE** of the Report of the Ministerial Committee on African Candidatures within the International System;
2. **ENDORSES:**
  - i) for membership of the **United Nations Advisory Committee on Administrative and Budgetary Questions**, during elections scheduled for November 2017 in New York, the candidature of **Mr. Abdallah Bachar Bong** of the Republic of Chad;
  - ii) for the position of **Deputy Secretary General of the International Telecommunications Union (ITU)**, during elections scheduled from 29 October to 16 November 2018 in Dubai, in the United Arab Emirates at the Conference of Plenipotentiaries, the candidature of **Mr. Brahim Sanou** of Burkina Faso;
  - iii) for the position of **Director General of the Organisation for the Prohibition of Chemical Weapons (OPCW)**, during elections scheduled for November/December 2017 in The Hague, the Netherlands, the candidature of **Mr. Abdouraman Bary**, of Burkina Faso;
3. **ALSO TAKES NOTE** of and decides to approve the following candidatures:
  - i) for membership of the **Human Rights Council for the 2018-2020 period**, during elections scheduled for November 2017, at the 72nd Session of the United Nations General Assembly, the candidatures of:
    - **The Democratic Republic of Congo**, for Central Africa
    - **The Republic of Angola**, for Southern Africa
    - **The Republic of Senegal**, for West Africa
    - **The Federal Republic of Nigeria**, for West Africa
  - ii) for membership of the **Executive Council of the World Tourism Organization** for the 2018-2021 period, during elections scheduled from 4 to 9 September 2017 in Chengdu, China, at the 22nd session of the General Assembly of the WTO, the candidatures of:
    - **The Republic of Sudan**
    - **The Republic of Cabo Verde**
    - **The Republic of Seychelles**

- *The Republic of Congo.*

iii) for membership of the **Board of Governors of the International Atomic Energy Agency** for the 2017-2019 period, during elections scheduled for September 2017, at the General Conference of the IAEA, the candidatures of:

- *The Republic of Sudan*
- *The Republic of Niger*
- *The Arab Republic of Egypt*

**NB:** The Committee directed the Permanent Mission of the African Union in Geneva to inform Member States, together with the African Group in Geneva, of the selection of two (2) States to fill the vacant post.

iv) for membership of the **Council of the International Maritime Organization, under Category C**, during elections scheduled from 27 November to 6 December 2017 in London at the 30th Session of the General Assembly of the International Maritime Organization, the candidatures of:

- *The Republic of Liberia*
- *The Kingdom of Morocco*
- *The Republic of South Africa*
- *The Arab Republic of Egypt*
- *The Republic of Kenya*

v) for the post of **Director of the Telecommunications Development Bureau**, during elections scheduled from 29 October to 26 November 2018 in Dubai, United Arab Emirate, the Federal Republic of Nigeria and the Republic of Zimbabwe to continue to consult to agree on a sole African candidate;

vi) for membership of the **Council of the International Telecommunications Union**, during elections scheduled from 29 October to 26 November 2018 in Dubai, United Arab Emirate, at the Plenipotentiary Conference, the candidature of *the Federal Republic of Nigeria*;

**NB:** The Committee decided to leave the twelve (12) other positions to be filled by Africa in the Council open, and requested the Secretariat to inform Member States of the candidature.

vii) for membership of the **Committee on the Protection of Cultural Property in the Event of Armed Conflict**, during elections scheduled for November 2017 in Paris, at the Conference of State Parties of the 1954

Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict, the candidature of *the Arab Republic of Egypt*;

viii) for membership of the Intergovernmental Council of the International Programme for the Development of Communication (IPDC), during elections scheduled for the 39th UNESCO General Conference to be held in Paris in November 2017, the candidature of *the Arab Republic of Egypt*;

ix) for membership of the International Hydrological Programme (IHP), during elections scheduled to be held in Paris in November 2017, at the 39th Session of the UNESCO General Conference, the candidature of *the Arab Republic of Egypt*.

x) *Member of the International Coordination Council of the Man and the Biosphere (MAB) during elections scheduled for the 39<sup>th</sup> Session of the UNESCO General Conference in November 2017 in Paris, the candidature of the Arab Republic of Egypt.*

4. **DECIDES** that concerning the posts listed below, taking into consideration the existing mechanisms within the organizations, particularly geographical distribution and the determination of groups to which the Member States belong to take note of the candidatures and lend its support. The posts are the following:

i) **Member of the Executive Council of UNESCO in the V(b) Electoral Group for the 2017-2021 period** during elections scheduled to be held in Paris in November 2017 at the 39<sup>th</sup> UNESCO General Conference, the candidatures of:

- *The Kingdom of Morocco*
- *The Arab Republic of Egypt*

ii) **Member of the Executive Council of the World Tourism Organization in the Category of Arab Countries, for the 2018-2021 period**, during elections scheduled for 4 to 9 September 2017 in Chengdu, China at the 22<sup>nd</sup> Session of the WTO General Assembly, the candidature of:

- *The Arab Republic of Egypt*

5. **LASTLY DECIDES** that taking into consideration this election in October 2017 for the post of Director General of UNESCO as well as other strategic positions within the international system, to request:

i) Member States, the Chairperson of the African Union, African Groups in UNESCO and the deans of the African Groups in the different capitals, to collectively undertake to promote and support the candidature of **Dr.**



**Moushira Khattab, sole candidate for Africa**, for the post of Director General of UNESCO;

- ii) The African Union Commission to take all the necessary measures to ensure multifaceted support for the candidates endorsed by the African Union mechanism;
- iii) The Secretariat of the Ministerial Committee for African Candidatures within the International System to work together with African Groups towards the establishment of candidatures committees within the said Groups that have none;
- iv) The Permanent Mission of the African Union in New York to provide Member States with information on the United Nations Audit Committee.



**DECISION OF THE MINISTERIAL COMMITTEE ON THE  
SCALE OF ASSESSMENT AND CONTRIBUTIONS  
Doc. EX.CL/1042(XXXI)**

The Executive Council,

1. **TAKES NOTE** of the report of the Ministerial Committee and **APPROVES** the recommendations contained therein as follows;
2. **URGES** the Commission, to provide all necessary support to the Ministerial Committee to review the scale of assessment to be implemented starting from 2019, as per Assembly Decision Assembly/AU/Dec.578(XXV) of June 2015;
3. **REQUESTS** the Ministerial Committee to undertake a review of the Sanction Regime for consideration and adoption by the January 2018 Summit after a wide consultation process through a series of meetings and with the support of the required expertise.

