

AFRICAN UNION

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**AFRICAN UNION CONFERENCE OF
MINISTERS IN CHARGE OF
COMMUNICATION AND
INFORMATION TECHNOLOGIES
4th ORDINARY SESSION
KHARTOUM, THE SUDAN
02-06 September 2012**

**RULES OF PROCEDURE
OF THE AFRICAN UNION CONFERENCE OF MINISTERS IN
CHARGE OF COMMUNICATION AND INFORMATION
TECHNOLOGIES (CITMC)**

GENERAL PROVISIONS

The African Union Conference of Ministers in charge of Communication and Information Technologies;

Considering the Constitutive Act of the African Union, in particular the provisions of Article 12 thereof

ADOPTS THE FOLLOWING RULES OF PROCEDURE:

Article 1: Definitions

The following meanings shall apply in these Rules of Procedure:

“**Constitutive Act**” shall mean the Constitutive Act of the African Union;

“**Executive Council**” shall mean the Executive Council of the African Union;

“**Commission**” shall mean the African Union Commission;

“**Communication and Information Technologies**” (CIT) shall mean the sector covering Telecommunications¹/ICT and Posts;

“**Conference**” shall mean the Conference of African Ministers in charge of CIT (CITMC)

“**REC**” shall mean Regional Economic Community;

“**Chairperson**” shall mean the Chairperson of the Conference, unless otherwise stated;

“**Member State**” shall mean a Member State of the African Union;

“**Union**” shall mean the African Union established by the Constitutive Act;

“**Vice Chairpersons**” shall mean the Vice Chairpersons of the Conference, unless otherwise stated.

CHAPTER I: *THE AFRICAN UNION CONFERENCE OF MINISTERS IN CHARGE OF COMMUNICATION AND INFORMATION TECHNOLOGIES*

SECTION I: OBJECTIVE, COMPOSITION AND FUNCTIONS

Article 2 : Objective

The African Union Conference of Ministers in charge of Communication and Information Technologies shall be responsible for continent-wide coordination of sectoral policies and strategies in matters of Telecommunications/ICT and Posts.

¹ Broadcasting is covered by “telecommunications” in Reference to ITU activities

Article 3: Composition

1. The African Union Conference of Ministers in charge of Communication and Information Technologies (CIT) shall be composed of all African Union Member States' Ministers in charge of Telecommunications/ICT and Posts or their duly accredited representatives.
2. The Governance Structure of the Conference shall be:
 - The Conference;
 - The Bureau of the Conference (CITMC-Bureau);
 - The Steering Committee (CITMC-SteerCom).
3. The Conference may create such *ad-hoc* Working Groups (CITMC-WG), Committees and Sub-Committees as it deems necessary. The said Working Groups shall consist of African Union Members States' Experts, selected on the basis of their competence in telecommunications/ICT and Post sub-sectors. The Working Groups shall be constituted on the basis of the issues to be addressed. They shall work under the coordination of the African Union Commission.
4. The Working Groups Committees and Sub-Committees shall cease to exist upon the completion of their mission.

Article 4: Functions

1. The Conference shall:
 - a) Ensure compliance with the principles of the Union ;
 - b) Ensure the promotion and progressive realization of the goals of the Union;
 - c) Define the priorities of the CIT sector in matters of policies, strategies and programmes at continental level;
 - d) Follow up on and promote cooperation between the Union and the Regional Economic Communities;
 - e) Deliberate and decide on proposals submitted for its consideration;
 - f) Consider, adopt and monitor the implementation of integrating sectoral programs and projects in the field of Communication and Information Technologies in Africa;
 - g) Cooperate closely with the Commission with regard to the organization and management of meetings and ensure the implementation, follow up and evaluation of decisions taken in the Communication and Information Technologies sector by the Executive Council or the Assembly of Heads of State and Government of the Union;
 - h) Ensure the coordination and harmonization of Communication and Information Technologies projects and programmes of the Union;
 - i) Present reports and briefings to the Executive Council, either on its own initiative or at the request of the Executive Council, on the execution of projects and programmes in the Communication and Information Technologies sector;

- j) Carry out such other tasks in the Communication and Information Technologies sector as may be assigned to it by the Executive Council or the Assembly of Heads of State and Government of the Union in application of the provisions of the Constitutive Act and/or other relevant legal instruments of the African Union.

SECTION II : VENUE AND SESSIONS

Article 5 : Venue

1. Sessions of the Conference shall be held at the Headquarters of the Union, except where a Member State offers to host the Conference in its country.
2. Where the Conference is held in a Member State on the invitation of the latter, the Member State shall bear all additional costs incurred by the Commission. To this end, the host country shall sign with the Commission a hosting agreement in accordance with the decisions of the Union in this matter.
3. In conformity with Article 5, paragraph 2 of the Rules of Procedure of the Assembly of the Union, the Member States offering to host sessions of the Conference shall not be under sanctions and shall meet a number of criteria set in advance, adopted by the Conference, especially appropriate logistical facilities and a favourable political climate.
4. Where two (2) or more Member States offer to host the same session, the Conference shall decide, by consensus or, failing that, by a simple majority, on the venue of its session.
5. Where a Member State which offered to host a session of the Conference of the African Ministers in charge of Communication and Information Technologies cannot do so, the session shall take place at the Headquarters of the African Union, unless Member States receive and accept a new offer to host the session.

Article 6 : Sessions

1. The Conference shall meet in ordinary session at least once every two years. The session shall be preceded by a preparatory meeting of Experts.
2. The Conference shall meet in extraordinary session at the request of the Chairperson of the Conference or any Member State. An extraordinary session shall be convened with the approval of two-thirds majority of present Member States of the Union, present.
3. The African Union Commission shall communicate to all the Member States the request to convene an extraordinary session within fourteen (14) days following the receipt of the request, and shall invite them to inform him/her of their decision in writing within a specified deadline.
4. If at the expiry of the specified deadline, the requisite two-thirds (2/3) majority is not reached, the African Union Commission shall inform all the Member States that the requested extraordinary session shall not take place.
5. Extraordinary sessions shall take place at the Headquarters of the Union or in any Member State out its invitation.

6. Where two (2) or more Member States offer to host an extraordinary session, Member States shall decide on the venue by simple majority .

Article 7: Agenda of Sessions

1. The Conference shall adopt its agenda at the opening of each ordinary session. The African Union Commission shall communicate to Member States the draft agenda of ordinary sessions not later than thirty (30) days before the date of the session.
2. The Conference shall adopt its agenda at the opening of each extraordinary session. The African Union Commission shall communicate to Member States the draft agenda of the extraordinary sessions not later than fifteen (15) days before the date of the session. The agenda of an extraordinary session shall include only the item(s) proposed for consideration in the request to convene the said extraordinary session.
3. The notice for the convening of a session of the Conference shall be served at least one (1) month before the proposed date of the session. However, in the event of an extraordinary session, this time limit may be reduced to fifteen (15) days. The African Union Commission shall take all measures to comply with the procedure for the convening of Conference sessions (Notes Verbale, official invitation letters, etc...)

Article 8: Public Session and Closed Session

All sessions of the Conference shall be public. However, closed sessions may be held, upon request by simple majority of Member States.

Article 9: Opening and Closing Ceremonies

1. Opening ceremonies shall be presided by the representative of the host country or the representative of the Commission where the session takes place at the headquarters of the Union.
2. During the opening ceremony of the Conference, the following personalities shall be authorized to make statements:
 - a) The Head of State or any other competent authority of the host country;
 - b) The Minister in charge of Communication and Information Technologies of the host country;
 - c) The representative of the Chairperson of African Union Commission;
 - d) The Executive Secretary of the United Nations Economic Commission for Africa (ECA) or his/her representative;
 - e) The African Union Commissioner in charge of Communication and Information Technologies;
 - f) The Current Chairperson of the Conference.
3. The closing ceremony shall be chaired by the elected Chairperson of the Bureau of the Conference. During the closing ceremony of the Conference, the following personalities shall be authorized to make statements:

- a) The Head of State or the Minister in charge of Communication and Information Technologies of the host country or any other competent authority of the host country;
 - b) The personality designated to read the Vote of Thanks.
4. The Bureau of the Conference may invite any other personality to make a statement during the opening or closing ceremonies.

Article 10: Election and Functions of the Bureau

1. The Conference shall elect a Bureau of the Conference for a period of two (2) years on a rotational basis and in accordance with the agreed criteria.
2. The Bureau of the Conference shall comprise a Chairperson assisted by the three (3) Vice Chairpersons and one (1) Rapporteur elected on the basis of the agreed geographical distribution, following appropriate consultations. To ensure transformation institutional memory, the Rapporteur shall be automatically the former Chairperson.
3. The Commissioner of the African Union Commission in charge of Communication and Information Technologies and the Chief Executive Officer of the NEPAD Planning and Coordination Agency (NPCA) shall be members of the Bureau.
4. The Chairperson shall:
 - a) Convene the sessions of the Conference;
 - b) Make the opening and closing addresses;
 - c) Present the reports of the sessions for approval;
 - d) Preside over the proceedings and voting procedures;
 - e) If need be, put to vote the issues under discussion and declare the results of the voting procedure;
 - f) Rule on points of order;
 - g) Sum up the discussions and declare them closed.
5. The Chairperson shall maintain order and ensure the smooth running of the Conference.
6. In the event of incapacity or vacancy of the post of, the Chairperson, the Vice Chairpersons shall act in order of precedence.
7. According to distribution criteria agreed with the Chairperson, the Vice Chairpersons shall:
 - a) Assist the Chairperson in the exercise of his functions;
 - b) Replace the Chairperson in the event of incapacity or absence;
 - c) Ensure that the quorum is attained;
 - d) Establish and maintain a list of participants who wish to take the floor;
 - e) Supervise any voting and draw a report thereon; and
 - f) Replace each other in the event of incapacity or absence.

8. The Rapporteur shall:
 - a) Ensure that each member of the Conference obtains the working documents;
 - b) Supervise the staff in charge of drafting reports, minutes and recommendations;
 - c) Ensure that the proposals and reports considered and amended are corrected accordingly;
 - d) Present the draft reports and recommendations to be adopted as well as the summary of the decisions made in the form of a ministerial declaration;
 - e) Prepare a report at the end of each session of the Conference.
9. The Bureau of the Conference shall be responsible for coordinating the activities of the Conference in the period between sessions. In this regard, it shall be convened at least once a year by its Chairperson in coordination with the African Union Commissioner in charge of CIT.
10. The Bureau may take decisions on operational matters. It shall submit to the CITMC all matters that require broad consensus of Member States. Each member of the Bureau shall participate at his/her own expense in relevant international and regional meetings and contribute to the coordination of African position in close cooperation with specialized institutions and /or other elected Member States in the constituencies of the said meetings. Members of the Bureau shall prepare timely report on the outcomes of such meetings to be shared with all Member States and the AUC.

Article 11: Election and Functions of the CITMC-Steering Committee

1. The Conference shall elect a Steering Committee (CITMC-SteerCom) comprising:
 - a) Two (2) representatives of each region. One of the said representatives shall be designated by the country of the region which is member of the Bureau of the Conference;
 - b) Representatives of the Commissioner of the African Union Commission in charge of CIT and the Chief Executive Officer of the NPCA;
 - c) The following associate members:
 - One (1) representative of each REC;
 - Representatives of the Specialized Agencies of the African Union notably the Pan African Postal Union (PAPU) and the African Telecommunications Union (ATU);
 - One (1) representative of the African Development Bank (AfDB);
 - One (1) representative of association of the regulators of the region. In case there is no association of regulators, the country representing the region on the Bureau of the Conference shall designate a regulator to represent the region;
 - One (1) representative of each institution or United Nations regional mission in charge of CIT, in particular, the International Telecommunications Union (ITU) and UNECA;

- One (1) representative of the private sector of each region. For ease of designation of the private sector representative in a region, the country representing the region on the Bureau may select the private sector of the region.
2. The representative of the Chairperson of the Bureau shall chair sessions of the Steering Committee. The representative of the Rapporteur shall be the Rapporteur of the Steering Committee meetings assisted by the African Union Commission
 3. The Steering Committees Members shall be:
 - a) Prepare, amend and draft recommendations relating to working documents prior to submission to the Bureau, including draft agenda, decisions, declarations and project proposals;
 - b) Propose strategic vision for CIT projects and discuss the progress made or difficulties encountered in implementing programmes, and report accordingly to the Bureau
 - c) Recommend human, financial and other resources allocation for elaboration of business plan and implementation of programmes and projects;
 - d) Approve the terms of reference and evaluate the decisions of Working Groups, Committees and Sub-Committees;
 - e) Undertake any necessary initiative for CIT development in Africa;
 - f) Appoint one representative from each region to participate, with the member of the Bureau, in international meetings to contribute to the coordination of African positions and report on the outcomes of such meetings to the Bureau.

Article 12: Quorum for session of the Conference

The quorum for each session of the Conference of African Ministers in charge of Communication and Information Technologies shall be simple majority of Member States.

Article 13 : Participation in Sessions

1. African Union Member States' Ministers in charge of Communication and Information Technologies shall participate in person in the sessions of the Conference. In the event of impediment, they shall be represented by duly accredited representatives.
2. Regional Economic Communities, specialized institutions, professional organizations and development partners participate in the deliberations of the Conference to which they have been invited, with the authorization of the Chairperson, but they shall have no voting rights.
3. Regional Economic Communities, specialized institutions, professional organizations and development partners may be authorized by the Chairperson of the Conference to make a presentation on issues concerning them, provided the documents are communicated in advance through the Chairperson of the Commission.
4. Regional Economic Communities, specialized institutions, professional organizations and development partners may be invited by the Conference of African Ministers In charge of Communication and Information Technologies to attend closed sessions dealing with issues concerning them.

5. The Chairperson of the Conference may give the floor to the Regional Economic Communities and specialized institutions and professional organizations to enable them to answer the questions addressed to them by Member States.
6. The Conference of African Ministers in charge of Communication and Information Technologies may invite personalities to attend its sessions.

Article 14: Working Languages

The working languages of the Conference shall be those of the African Union, namely: Arabic, English, French, and Portuguese.

CHAPTER II: DECISION-MAKING PROCEDURES

Article 15: Required Majority

1. The Conference shall make its decisions by consensus or, failing that, by of two-thirds majority of Member States present and voting.
2. Decisions on procedural issues shall be made by simple majority of voting Member States.
3. Decisions to determine whether an issue is procedural or not shall also be made by a simple majority of Member States with voting rights.
4. Abstentions by the voting Member States shall not prevent the Conference from making decisions that require a consensus.

Article 16: Categorization of decisions

1. Decisions of the Conference shall be made as follows:
 - a) Recommendations: they shall be considered by the Executive Council for decision and eventual submission to the Assembly of the Union for the relevant decisions. The recommendations shall become binding following a decision of the Conference.
 - b) Declarations, resolutions, opinions, etc.: are intended for policy purposes and for harmonization the opinions of Member States.
 - c) Administrative decisions: these relate to implementation of the Rules of Procedure, designation of Bureau members, adoption of work plan or request for legal advice.
2. At each meeting of the Conference, its Chairperson shall present a report on the status of implementation of previous decisions.

Article 17: Points of Order

1. During discussions on any issue, any Member State may present a point of order. The Chairperson, in conformity with the Rules of Procedure, shall take a decision on the said point of order.

2. The Member State concerned may appeal the decision of the Chairperson. The appeal shall be immediately put to vote. The decision on this issue shall be taken by simple majority.
3. The Member State concerned shall not in its intervention deal with the substance of the item being discussed.

Article 18: Deliberations

1. During deliberations, the Chairperson shall give the floor in the order in which the speakers have indicated their intention to speak. No delegate shall take the floor without the approval of the Chairperson.
2. The Chairperson may, during deliberations:
 - a) Read out the list of registered speakers and declare such list closed;
 - b) Call to order any speaker whose intervention departs from the item under discussion;
 - c) Give a delegate the right of reply when, in his/her opinion, an intervention made after the closure of the list of speakers justifies such right of reply;
 - d) Limit speaking time for each delegate independently of the nature of the item under discussion.

Article 19: Adjournment of Deliberations

1. During discussions on an issue, any Member State may call for adjournment of the discussions. In addition to the proposer of the motion to adjourn, a Member State may take the floor to speak in favour of the motion, and another against the motion. Immediately after, the Chairperson shall put the motion to the vote.

Article 20: Closing of Deliberations

When an issue has been sufficiently discussed, any Member State may request the closing of discussions on the issue. In addition to the proposer of the motion to close, a Member State may take the floor to speak in favour of the motion, and another to speak against. The Chairperson shall, immediately after, put the motion to the vote.

Article 21: Suspension or Adjournment of Meetings

During the course of a debate on any item, any Member State may propose the suspension or adjournment of the meeting. No debate shall be allowed on such motions, which shall be immediately put to the vote by the Chairperson.

Article 22: Order of Procedural Motions

1. The following motions shall have precedence, in the order indicated, over all proposals and other motions before the meeting:
 - a) Adjournment of deliberations on the issue under discussion;
 - b) Closing of deliberations on the issue under discussion;
 - c) Suspension of the session; and
 - d) Adjournment of the session.

Article 23: Voting Right

1. Each Member State shall have one vote.

The Member States affected by the application of sanctions under Article 23 of the Constitutive Act shall not have the right to vote.

Article 24: Vote on Decisions

After the closing of discussions, the Chairperson shall immediately put the decisions as well as the related amendments to the vote. The vote shall only be interrupted by a point of order concerning the way in which the said vote should take place.

CHAPTER III: ROLE OF THE COMMISSION

Article 25: Role of the Commission

1. The role of the Commission in implementing the aforementioned arrangements shall, among others be as follows:
 - Convene meetings of the Conference, Bureau, Steering Committee as well as those of the Working Groups and draft the report to be submitted to the Executive Council and the Assembly of Heads of State and Government;
 - Negotiate and sign hosting agreement the meetings of the Conference and the Bureau;
 - Provide useful advice during the sessions of the Conference, the Bureau and the Steering Committee;
 - Prepare the letters of invitations letters to sessions of the Conference, the Bureau and the Steering Committee;
 - Draft the agendas, work programmes and working documents of the aforesaid meetings;
 - Coordinate with the Bureau of the Conference on the dates and venues of the meetings.

CHAPTER IV: FINAL PROVISIONS

Article 26: Implementation

Where necessary, the Conference of African Ministers in charge of Communication and Information Technologies may use the provisions of the Executive Council's Rules of Procedure to decide on any issues that are not addressed by the present Rules of Procedure.

Article 27: Adoption and Amendments

The Executive Council is the competent organ to adopt these Rules of Procedure. Furthermore, the Executive Council may, on advice of the Conference of African Ministers in charge of Communication and Information Technologies, amend the present Rules of Procedure.

Article 28: Entry into Force

These Rules of Procedure shall enter into force upon adoption by the Executive Council.