Report of the 3rd Ordinary Session of the Standing Committee of the Economic Social and Cultural Council (ECOSOCC)

17-19 November 2016
Nairobi, Kenya
INTRODUCTION

The Standing Committee of the Economic Social and Cultural Council (ECOSOCC) has met in an Ordinary Session at the Hilton Hotel, Nairobi, Kenya, from 17-19 November 2016.

The meeting was attended by members of the Standing Committee of ECOSOCC, including the Presiding Officer Mr Joseph Chilengi, three Deputy Presiding Officer for the North, East and Central, Head of Various Clusters, representatives from the African Union Commission and the Chair of the Credential Committee (attendance list attached). The meeting declared that the quorum was met.

It was observed that the few members of SC who didn't attend the meeting should show more commitments to the work of the Organ and give priority to the ECOSOCC affairs rather than their own organizations especially that the notification related to the Standing Committee meeting was communicated to all members of the SC fifteen days ahead of the meeting.

Staff from AU Commission including from CIDO / ECOSOCC Secretariat and the Office of the Legal Counsel attended the meeting.

The objectives of the Ordinary Session of the Standing Committee included the following items:

1. To examine and review the draft ECOSOCC Strategic Plan
2. To consider the priority areas that should be carried out by the Organ within the remaining time before the end of 2016
3. To examine some issues related to disciplinary matters and good behavior of ECOSOCC members which goes with the spirit of AU Rules and Regulations
4. Review and adopt road map for the evaluation and assessment of CSOs applicants for elections into the 2nd General Assembly
5. Examine and discuss budget constraints affecting the ECOSOCC program agenda

AGENDA AND WORK PROGRAMME

The meeting began with the adoption of the agenda and Work Program as contained in Annex I.

OPENING CEREMONY

The opening ceremony received two main presentations from the Head of the Civil Society Division of the Citizens and Diaspora Directorate (CIDO) Amb Jalel Chelba and the Presiding Officer of the Economic, Social and Cultural Council (ECOSOCC) Mr. Joseph Chilengi.

In his Opening Statement, the Head of the Civil Society Division, in his capacity as Representative of the ECOSOCC Secretariat stressed the importance of the Standing Committee in providing guidance and direction to the organ particularly with regard to priority programs and activities. While reiterating the engagement of the Secretariat
to continue supporting and facilitating the activities and programmes of the Organ, he called for the meeting to provide decisions and recommendations that facilitate the completion of the remaining activities on the 2016 work plan in order for the Organ to meet its mandate and the expectations.

In turn, the Presiding Officer of the ECOSOCC, Mr. Joseph Chilenga, called for a review of the rules of procedure and statutes of the organ in order to provide guidance to the work of the organ. He further called for a frank exchange of ideas on the issues confronting the organ, as well as priority programs going forward. He also called for more engagement and commitment from members of the Standing Committee as leaders within the Organ to give the example and to advance the agenda of civil society in the AU family.

SUMMARY OF DISCUSSIONS

The meeting proceeded in six main sessions over three days as per the attached work program.

Section A: On the ECOSOCC Rules of Procedure and Statutes

1. The Standing Committee recognized that communication between the Bureau and the general membership needs to be improved. In this regard, the meeting recommended that an agenda item on communications be introduced at the next General Assembly in order to ensure that members are available via electronic channels to communication from the ECOSOCC Bureau in order to move the organ’s agenda forward.

2. The meeting called on the Secretariat to ensure consistent adherence to Rule 14 of Rules of Procedure with regard to the agenda of meetings of the Standing Committee. It was highlighted that communication was sent to members of the SC two weeks ahead of the meeting and they were encouraged to provide inputs in the agenda of the meeting.

3. The meeting directed the Secretariat to take additional steps to explore the award of honorariums for Standing Committee members based on the terms and conditions in place as well as to harmonize it with the practice in other AU organs, including PAP and the Court.

Section B: On Disciplinary Matters and Code of Ethics

4. The meeting agreed that the disciplinary provisions set forth in AU Staff Rules ought to serve as a guide to ECOSOCC in developing its own disciplinary process that is tailored to the purposes of the organ. It was agreed that the ECOSOCC process would borrow from that of the AU in order to reflect the peculiar framework of ECOSOCC. It was further recommended that this work be completed and presented at the next General Assembly of the ECOSOCC.
5. The meeting further agreed that, as an interim measure, the Bureau and Standing Committee would adopt the spirit of the AU Staff Rules to guide it in addressing issues of discipline.

6. On this matter, the Office of the Legal Counsel advised as follows:

   i. On the issue of taking disciplinary action against ECOSSOC members: Rule 8 (2) and Rule 13 (3) (h) of the ECOSOCC Rules of Procedure are instructive.

   Rule 8 (2)
   "The **General Assembly shall establish a disciplinary committee** composed of one (1) CSO representative per region which **shall have powers to** inquire into the conduct of the Members of ECOSOCC. The rules governing the proceedings of the disciplinary committee shall be adopted by the General Assembly.

   Rule 13 (3) (h)
   "The **functions of the General Assembly** shall be as follows: declare the cessation of membership and **if a Member has been found to have been acting** in a manner contrary to the objectives and functions of ECOSOCC suspend that Member;

   ii. In addition, that this should be a priority agenda item for the General Assembly.

Section C: Disciplinary Proceedings Concerning Mr. Omar Farouk Osman; Chair of Political Affairs Cluster.

7. The meeting considered disciplinary proceedings based on the following reasons.

   a. Arrest for non-payment of hotel bills in Ethiopia
   b. Designation as a persona non-grata by Ethiopian authorities
   c. Arrest for non-payment of hotel bills in Kenya; a matter which remains before the courts in Nairobi.
   d. Designation as a high-risk personality by the United Nations.

8. Based on the above, and considering the potential reputational damage to ECOSOCC and the African Union, the Standing Committee decided that a suspension should be imposed on Mr. Osman Farouk with immediate effect pending the final resolution of the matter. (Suspension letter attached)

9. It was agreed that in accordance with the Rules of Procedure, Mr. Osman shall be given a time period within which to provide a response to the charges contained in the suspension notice, either via written answer or by an in-person response at his own expense.
10. The meeting further recommended that all the relevant documentary evidence relative to Mr. Osman be circulated to members of the Standing Committee in order to provide factual evidence in support of their decision. The meeting emphasized the need for decisions taken in this matter to be based on fact and documentary evidence; including all the documentation from the Ethiopian and Kenyan governments as well as the Bureau of the Chairperson of the AU Commission. The meeting agreed that court documents, newspaper articles and all relevant documentation must be attached in the suspension notice to Mr. Osman.

11. Finally, the Standing Committee directed that a statement on this decision be prepared by the Secretariat for dissemination.

Section D: On the Credentials Status of Mr. Aboubacar Mokhtar: ECOSOCC North Africa Representative

12. The meeting was made aware of the following potential concerns surrounding Mr. Mokhtar.

   a. That he may not be permanent resident in an AU Member States (Libya) but outside the Continent, in Belgium.
   b. That his CSO may be licensed under outdated legislation for civil society registration which is no longer valid in Libya.

13. The meeting recommended that the matter should be referred to the next Credential Committee meeting to examine it. A letter could be sent later to inform Mr. Mokhtar of the existence of the above questions and to invite his clarification accordingly.

Section F: On the ECOSOCC General Assembly

14. It was highlighted that the Standing Committee members were elected in March 2015 during the General Assembly meeting in Cairo, Egypt.

15. The meeting decided that the General Assembly of ECOSOCC shall be rescheduled to March 2017 to allow for the completion of activities requiring General Assembly endorsement; and to allow for the simultaneous election of a new Bureau and a new Standing Committee.

16. On this matter, the Office of the Legal Counsel advised that the statutory requirement is for ECOSOCC elections to be conducted every two (2) years and every effort should be made to meet this requirement.

Section E: On ECOSOCC and the African Diaspora

17. The meeting decided that no interim statutory changes shall be implemented relative to diaspora engagement with ECOSOCC; pending further advice from the Office of the Legal Counsel on this matter.
18. The Office of the Legal Counsel advised as follows:

a. ECOSOCC was established as an advisory organ of the Union to inter alia promote dialogue, partnership and participation of all segments of African people on issues concerning Africa and its future. The Protocol on the Amendments to the Constitutive Act provides that one of the objectives of the Union shall be to: "invite and encourage the full participation of the African Diaspora as an important part of our Continent, in the building of the African Union"

b. In addition, the Global African Diaspora Summit also resolved that the Diaspora should be facilitated to fully and effectively participate in the affairs of the continent.

19. The meeting decided that the AU Commission, Member States and Policy making organs should provide more lights and guidance on the engagement with Diaspora. For the moment, there is no interim statutory changes that should be implemented in this regard.

Section F: On the Role of the Credentials Committee

20. The meeting decided that the Credentials Committee shall be responsible for appraising CSO applications for ECOSOCC membership; and that the Committee shall consist of representation from the AU Commission, particularly the Office of the Legal Counsel and the Secretariat. It was further recommended that additional representatives from AUC Departments (such as Finance, Auditing etc) be included in order to provide specialist support.

21. It was further agreed that the Credentials Committee would therefore be responsible for the assessment of the applications currently received for election into the ECOSOCC General Assembly.

22. It was also agreed that the CC should use the experience of the Interdepartmental Committee (IDC) that was responsible of this matter from 2012-2014 and members of the IDC should be invited for the next of the Credential Committee meeting scheduled to take place in Cairo, Egypt in 17-19 December 2016.

Section G: On the ECOSOCC Strategic Plan

23. The Deputy Presiding Officer Mme Fatima Zohra Karadja delivered a presentation of the draft Strategic Plan developed by the Strategic Plan Elaboration Committee (SPEC).
24. The Standing Committee welcomed and commended the SPEC for the job well done and offered a number of proposals as input for the finalization of the Strategic Plan.

25. The Standing Committee adopted the draft Strategic Plan with the proposed input offered by members, and further approved the recommended roadmap for completion of the Strategic Plan.

Section H: On ECOSOCC National Chapters

26. The meeting recommended that an internal working group be established to develop a framework document to guide the establishment of ECOSOCC National Chapters. It was further decided that the framework document shall be submitted for adoption by the next General Assembly.

Section I: On New AU Travel Policy

27. The Standing Committee was updated on the new AU Travel Policy.

28. The Standing Committee urged the Secretariat to take efforts to impress upon the Travel Unit to issue tickets with sufficient lead time as last-minute ticket issuances generate stress and uncertainty for members.

29. The meeting also expressed concern regarding the long time it takes to secure refunds of tickets. The Secretariat assured members of the SC of the necessary assistance in this regard.

Section K: On Relocation Process for ECOSOCC Secretariat

30. The Presiding Officer delivered an update on the progress of implementation of the Decision to relocate the ECOSOCC Secretariat to Lusaka Zambia. In addition, the Standing Committee received a visual presentation of the proposed Secretariat Complex to be constructed in Lusaka, Zambia, on a site donated by the Government of the Republic of Zambia.

31. The meeting took note and welcomed the steps taken in this regard

Adoption of Decisions and Recommendations

32. The Standing Committee meeting ended on 19 November 2016 by the adoption of the Decisions and Recommendations (attached).

33. The meeting also agreed to address a suspension letter to Mr Oumar Faruk Ousman in his personal capacity (as Chair of Political Affairs Cluster) as well as member of the General Assembly (his Organisation).

34. Finally, the meeting thanked all the members and AUC Staff for their availability and the quality of deliberations and recommendations.
3rd ORDINARY SESSION OF THE STANDING COMMITTEE OF THE 2ND ECOSOCC PERMANENT GENERAL ASSEMBLY

17-19 NOVEMBER 2016

NAIROBI, KENYA

WORK PROGRAM
Day One: 17 November 2016

Session I: Official Opening

10:00 – 10:05 Welcome Address by Presiding Officer Mr. Joseph Chilengi
10:05 – 10:10 Opening Remarks by Secretariat

Session II: Adoption of Draft Agenda

10:10 – 10:20 Considerations and Adoption of Draft Agenda
10:20 – 10:30 Administrative Procedures / Housekeeping

Session III: ECOSOCC Rules and Procedures and Statutes

10:30 – 11:00 General Review

Session III: Disciplinary Matters and Code of Ethics

11:00 – 11:30 Presentation by Presiding Officer
11:30 – 12:00 Coffee / Tea Break
12:00 – 13:00 Discussion and Recommendations
13:00 – 14:30 Lunch

Session IV: Report on ECOSOCC Bureau Meeting and Priority Programs

14:30 – 15:00 Update by Deputy Presiding Officer Ismael Noo Onyango
15:00 – 15:45 Discussion and Recommendations
15:45 – 16:00 Tea/Coffee Break
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<td>Presentation by Presiding Officer</td>
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<td>Discussion and Way Forward</td>
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<th>The Role of the Credential Committee</th>
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<td>Presentation by the ECOSOCC Strategic Plan Drafting Team</td>
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End of Meeting