

AFRICAN UNION

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# STATUTES OF THE ECONOMIC, SOCIAL AND CULTURAL COUNCIL OF THE AFRICAN UNION

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## Preamble

THE ASSEMBLY OF THE AFRICAN UNION,

- **Recalling** the objectives and principles enshrined in the Constitutive Act of the African Union;
- **Recalling further** the establishment of ECOSOCC under the provision of Articles 5 and 22 of the Constitutive Act;
- **Convinced** that popular participation in the activities of the African Union, as enunciated in the African Charter for Popular Participation, is a prerequisite for its success;
- **Guided** by the common vision of a united and strong Africa and by the need to build a partnership between governments and all segments of civil society, in particular women, youth and the private sector, in order to strengthen solidarity and cohesion among our peoples;
- **Recalling** the decision of the Assembly to invite and encourage the full participation of the African Diaspora as an important part of the Continent, in the building of the African Union.

AGREES AS FOLLOWS:

## Article 1 Definitions

In these Statutes:

“**Assembly**” means the Assembly of Heads of State and Government of the Union;

“**Chairperson**” means the Chairperson of the Commission unless otherwise specified;

“**African Diaspora**” means the African Diaspora as defined by the Executive Council of the African Union;

“**Commission**” means the Commission of the Union;

“**Committee**” means a Specialized Technical Committee of the Union;

“**Constitutive Act**” means the Constitutive Act of the African Union;

“**CSO**” means Civil Society Organization;

“**ECOSOCC**” means the Economic, Social and Cultural Council of the Union;

“**CSSDCA**” means the Conference on Security, Stability, Development and Cooperation in Africa;

“**Executive Council**” means the Executive Council of the Union;

“**General Assembly**” means the General Assembly of ECOSOCC;

“**Member State**” means a Member State of the Union;

“**Member**” means a Civil Society Organisation elected to ECOSOCC

“**NEPAD**” means the New Partnership for Africa’s Development;

“**Parliament**” means the Pan-African Parliament of the Union;

“**PRC**” means the Permanent Representatives’ Committee of the Union;

“**Representative**” means the duly accredited representative of a member of ECOSOCC

“**RECs**” means the Regional Economic Communities;

“**Standing Committee**” means the Standing Committee of ECOSOCC;

“**STCs**” means Specialized Technical Committees as established under Article 14 of the Constitutive Act;

“**Union**” means the African Union established by the Constitutive Act.

“**Special interest groups**” means vulnerable groups such as the aged, the physically challenged and people living with HIV/AIDS.

## **Article 2**

### **Objectives**

ECOSOCC shall amongst other things, and in conformity with the objectives of the African Union as provided in the Constitutive Act, perform the following functions:

1. Promote continuous dialogue between all segments of the African people on issues concerning Africa and its future;
2. Forge strong partnerships between governments and all segments of the civil society, in particular women, the youth, children, the Diaspora, organized labour, the private sector and professional groups;
3. Promote the participation of African civil society in the implementation of the policies and programmes of the Union.
4. Support policies and programmes that will promote peace, security and stability in Africa, and foster development and integration of the continent;

5. Promote and defend a culture of good governance, democratic principles and institutions, popular participation, human rights and freedoms as well as social justice;
6. Promote, advocate and defend a culture of gender equality;
7. Promote and strengthen the institutional, human and operational capacities of the African civil society;

### **Article 3 Composition**

1. ECOSOCC shall be an advisory organ of the African Union composed of different social and professional groups of the Member States of the African Union. .
2. These CSOs include but are not limited to the following:
  - a. Social groups such as those representing women, children, the youth, the elderly and people with disability and special needs;
  - b. Professional groups such as associations of artists, engineers, health practitioners, social workers, media, teachers, sport associations, legal professionals, social scientists, academia, business organizations, national chambers of commerce, workers, employers, industry and agriculture as well as other private sector interest groups;
  - c. Non-governmental organizations (NGOs), community-based organizations (CBOs) and voluntary organizations;
  - d. Cultural organizations;
3. ECOSOCC shall also include social and professional groups in the African Diaspora organizations in accordance with the definition approved by the Executive Council.

## **Article 4 Membership**

1. ECOSOCC shall be composed of one hundred and fifty (150) CSOs which shall include different social and professional groups in Member States of the Union and the African Diaspora, in conformity with Article 5 of these Statutes:
  - a) Two (2) CSOs from each Member State of the Union;
  - b) Ten (10) CSOs operating at regional level and eight (8) at continental level;
  - c) Twenty (20) CSOs from the African Diaspora as defined by the Executive Council, covering the various continents of the world;
  - d) Six (6) CSOs, in ex-officio capacity, nominated by the Commission based on special considerations, in consultation with Member States;
2. The elections of the members of ECOSOCC at Member State, regional, continental and Diaspora levels shall ensure fifty percent (50%) gender equality provided that fifty percent (50%) of the representatives of the members shall consist of youths between the ages of 18 to 35.

## **Article 5 Election of Members**

1. Competent CSO authorities in each Member State shall establish a consultation process, in accordance with the provisions of Article 6 of these Statutes, for the purpose of determining modalities for election, of two (2) CSOs to the ECOSOCC General Assembly;
2. Regional and continental CSOs shall establish an appropriate consultative process to determine modalities for election, and elect eighteen (18) CSOs to the ECOSOCC General Assembly.
3. African Diaspora organizations shall establish an appropriate process for determining modalities for elections and elect twenty (20) CSOs to the ECOSOCC General Assembly;

4. The Commission shall adopt appropriate criteria for its selecting nominated members to the General Assembly, in consultation with Member States;
5. The members of ECOSOCC shall have a mandate of four (4) years and may be reelected only once

## **Article 6**

### **Eligibility Requirements for Membership**

The requirements to be fulfilled by CSOs seeking membership are as follows:

1. Be national, regional, continental or African Diaspora CSO, without restriction to undertake regional or international activities.
2. Have objectives and principles that are consistent with the principles and objectives of the Union as set out in Articles 3 and 4 of the Constitutive Act.
3. Registration and status:
  - a) Be registered in a Member State of the Union and/or;
  - b) Meet the general conditions of eligibility for the granting of Observer Status to non-governmental organizations;
  - c) Show a minimum of three (3) years proof of registration as either an African or an African Diaspora CSO prior to the date of submission of application, including proof of operations for those years.
4. Provide annual audit statements by an independent auditing company.
5. Show proof that the ownership and management of the CSO is made up of not less than fifty (50%) of Africans or of African Diaspora.
6. The basic resources of such an Organisation shall substantially, at least fifty percent (50%), be derived from contributions of the members of the Organization. Where external voluntary contributions have been received, their amounts and donors shall be faithfully revealed in the application for membership. Any financial or other support or contribution, direct or indirect, from a government to the Organization shall be declared and fully recorded in the financial records of the Organization.

7. Provide information on funding sources in the preceding three (3) years.
8. For regional and continental CSOs, show proof of activities that engage or are operative in at least three (3) Member States of the Union.
9. CSOs that discriminate on the basis of religion, gender, tribe, ethnic, racial or political basis shall be barred from representation to ECOSOCC;
10. Adherence to a Code of Ethics and Conduct for civil society organizations affiliated to or working with the Union.

## **Article 7 Functions**

As an advisory organ, ECOSOCC shall:

1. Contribute, through advise, to the effective translation of the objectives, principles and policies of the Union into concrete programmes, as well as the evaluation of these programmes;
2. Undertake studies that are recommended or deemed necessary by any other organ of the Union and submit recommendations accordingly;
3. Carry out other studies as it deems necessary and submit recommendations as appropriate;
4. Contribute to the promotion of popularization, popular participation, sharing of best practices and expertise, and to the realization of the vision and objectives of the Union;
5. Contribute to the promotion of human rights, the rule of law, good governance, democratic principles, gender equality and child rights;
6. Promote and support efforts of institutions engaged in review of the future of Africa and forge Pan-African values in order to enhance an African social model and way of life;



7. Foster and consolidate partnership between the Union and CSOs through effective public enlightenment, mobilization and feedback on the activities of the Union;
8. Assume such other functions as may be referred to it by any other organ of the Union.

## **Article 8 Structure**

1. The structure of ECOSOCC shall be as follows:
  - a) A General Assembly;
  - b) A Standing Committee;
  - c) Sectoral Cluster Committees;
  - d) Credentials Committee;

## **Article 9 General Assembly**

1. The General Assembly shall be the highest decision and policy making body of ECOSOCC and shall be composed of all members as provided for in Article 4 of these Statutes;
2. The functions of the General Assembly shall be as follows:
  - a) Elect member of the Standing Committee and oversee its work;
  - b) Prepare and submit advisory opinions and reports as appropriate;
  - c) Submit proposals on the budget and activities of ECOSOCC;
  - d) Approve and amend the Code of Ethics and Conduct for CSOs affiliated to or working with the Union;
  - e) Review the activities of ECOSOCC and propose appropriate actions and recommendations.
3. The General Assembly shall meet in Ordinary Session once every two (2) years and may meet in Extra-Ordinary Sessions under conditions to be specified in the rules of procedure of ECOSOCC.

4. The General Assembly shall:
  - a) Elect a Bureau composed of a Presiding Officer and five (5) Deputy Presiding Officers on the basis of equitable geographical distribution and rotation, including one (1) from the Diaspora.
  - b) The term of office of the Presiding Officer and the Bureau shall two (2) years

## **Article 10**

### **The Standing Committee**

1. The Standing Committee shall be elected by the General Assembly and shall be composed of eighteen (18) members as follows:
  - a) The Presiding Officer and the other members of the Bureau;
  - b) The Chairpersons of ten (10) Sectoral Cluster Committees;
  - c) Two (2) representatives of the Commission.
2. The Standing Committee shall perform the following functions:
  - a) Coordinate the work of ECOSOCC;
  - b) Prepare the meetings of the General Assembly;
  - c) Follow-up on the implementation of the Code of Ethics and Conduct developed for civil society organizations affiliated to or working with the Union.
  - d) Prepare and submit annual reports of ECOSOCC to the Assembly of the Union.
3. The Standing Committee in consultation with the Commission shall determine the criteria and modalities for granting observer status to ECOSOCC;
4. The term of office of the members of the Standing Committee shall be two (2) years;
5. The frequency of the meetings of the Standing Committee shall be provided in the Rules of Procedure.

## **Article 11**

### **Sectoral Cluster Committees**

1. The following Sectoral Cluster Committees are hereby established as key operational mechanisms of ECOSOCC to formulate opinions and provide inputs into the policies and programmes of the African Union:
  - a) **Peace and Security:** (Conflict Anticipation; prevention; management and resolution; post-conflict reconstruction and peace building; prevention and combating of terrorism; use of child soldiers; drug trafficking; illicit proliferation of small arms and light weapons and security reforms, etc).
  - b) **Political Affairs:** (Human Rights; Rule of Law; Democratic and Constitutional Rule, Good Governance; Power Sharing; Electoral Institutions; Humanitarian Affairs and assistance, etc).
  - c) **Infrastructure and Energy:** (Energy; Transport; Communications; Infrastructure and Tourism, etc).
  - d) **Social Affairs and health:** (Health; Children; Drug Control; Population; Migration; Labour and Employment; Family; Aging; the physically challenged; sports; culture; youth and protection and social integration, etc).
  - e) **Human Resources, Science and Technology:** (Education; illiteracy Information Technology; Communication; Human Resources; Science and Technology, etc).
  - f) **Trade and Industry:** (Trade; Industry; handcrafts; Customs and Immigration Matters, etc).
  - g) **Rural Economy and Agriculture:** (Rural Economy; Agriculture and Food Security; Livestock; Environment; Water and Natural Resources and Desertification, etc).
  - h) **Economic Affairs:** (Economic Integration; Monetary and Financial Affairs; Private Sector Development including the informal sector and Resource Mobilization, etc).

- i) **Women and Gender:** (Women; Gender and Development as a crosscutting issue, etc).
  - j) **Cross-Cutting Programmes:** (all other cross-cutting issues that are not covered in the above clusters such as HIV/AIDS, international cooperation, coordination with other institutions and organs of the Union, etc)
2. The Sectoral Cluster Committees of ECOSOCC shall prepare and submit advisory opinions and reports of ECOSOCC
  3. The Sectoral Cluster Committees shall also perform any other functions as may be assigned to it.
  4. The ECOSOCC General Assembly may recommend amendments to the established Sectoral Cluster Committees as it may deem necessary.

## **Article 12**

### **The Credentials Committee**

1. The Credentials Committee shall be established by the General Assembly and shall be composed of the following:
  - a) One (1) CSO representative from each of the five (5) regions;
  - b) One (1) CSO representative of African Diaspora;
  - c) One (1) nominated representative for special interest groups such as vulnerable groups, the aged, the physically challenged and people living with HIV/AIDS; and
  - d) Two (2) representatives of the Commission.
2. The Credentials Committee shall be responsible for examining the credentials of members of ECOSOCC and of their representatives.
3. The Rules of Procedure of the Credentials Committee shall be adopted by the General Assembly.

### **Article 13**

#### **Budget**

1. The regular budget of ECOSOCC shall constitute an integral part of the regular budget of the Union.
2. ECOSOCC may however mobilise resources from extra-budgetary sources in accordance with guidelines laid down by the Executive Council.

### **Article 14**

#### **Secretariat**

The competent unit of the Commission shall serve as the Secretariat of ECOSOCC within the Commission.

### **Article 15**

#### **Article on Quorum**

The quorum for meetings of the General Assembly of ECOSOCC or of any of its committees shall be constituted by a simple majority.

### **Article 16**

#### **Voting**

Each member of ECOSOCC shall have one vote and decision-making shall be by consensus, failing which it shall be by 2/3 majority of those present and voting. However, questions of procedure shall require a simple majority.

**Article 17**  
**Rules of Procedure**

ECOSOCC shall adopt its own Rules of Procedure, including additional provisions on modalities for selection of its members, subject to approval by the Executive Council.

**Article 18**  
**Working Languages**

The official languages of ECOSOCC shall be the same as those of the Union.

**Article 19**  
**Entry into Force**

These Statutes shall enter into force upon adoption by the Assembly.

**Article 20**  
**Amendments**

Proposals for the amendments of these Statutes may be made by any Member State of the Union, or the General Assembly of ECOSOCC to the Assembly for its consideration.

**DRAFT DECISION ON TRANSITIONAL ARRANGEMENTS FOR THE  
LAUNCHING OF THE ECONOMIC, SOCIAL AND CULTURAL  
COUNCIL (ECOSOCC) OF THE AFRICAN UNION.**

1. In order to ensure the speedy launching of ECOSOCC, the Commission shall convene a General Civil Society Conference which shall serve as the interim General Assembly of ECOSOCC pending the election and setting up of the General Assembly;
2. The Interim General Assembly shall elect an AU-Civil Society provisional working group which shall serve as the Interim Standing Committee of ECOSOCC;
3. The Interim Standing Committee shall elect six (6) of its members to serve as the Interim Credentials Committee along with two (2) members of the Commission and one (1) representative nominated for special interest groups;
4. The Interim Standing Committee shall ensure that elections for membership of ECOSOCC are finalized as soon as possible so that the General Assembly of ECOSOCC can be launched within a period of not more than two (2) years.