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DEPARTMENT OF HUMAN RESOURCES, SCIENCE AND TECHNOLOGY

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CONFERENCE OF MINISTERS OF EDUCATION
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**ESTABLISHMENT OF THE
PAN AFRICAN UNIVERSITY**

STATUTE

April 2010

Preamble

Aware of the central role that Higher education and scientific and technological research play as the cornerstone of social integration, economic development and competitiveness, the Commission of the African Union (AUC) has initiated an ambitious and strategic project of creating the Pan African University (hereinafter referred to as PAU). On the basis of the groundwork done by the Commission of the African Union in this area, and in line with the outcome of the Conference of Ministers of Education of the African Union (COMEDAF) and the African Ministers Conference on Science and Technology (AMCOST), the PAU will contribute to the stimulation, modernization and promotion of higher education in Africa. This will ensure a steady nurturing of new ideas and a continuous injection of highly skilled human resource into the economic, social cultural and political sectors, for the benefit of the Continent. Aware also that;

- Investments in the higher education sector have not been adequate and that out of the 53 member states of the African Union, only two have reached the 1% threshold of GDP allocation to science and technology;
- Among the 500 universities ranked globally, only five are in Africa;
- African publications referenced in the Science Citation Index stagnated at 1.4 % between 1981 and 2000, while research and development expenditures dropped from 1.3 to 0.8%;
- Universities and other educational and research institutions do not frequently exchange students or academic staff within the continent ;
- There are poor linkages between higher education and industry and the private sector;

Within the framework of aims and principles enunciated within the Act of Incorporation of the African Union ratified on 11th July 2000 in Lome, Togo, the AUC envisages the establishment of the PAU as a first step towards the creation of high quality continental institutions that bridge the above gaps and promote innovative teaching, learning and research within Africa, to meet the developmental needs of the continent.

The conception, development and implementation of the PAU project are in consonance with the following framework documents of the African Union:

- The Strategic Plan of the Commission « Horizon 2015 »;
- The Plan of Action for the Second Decade of Education for Africa 2006-2015;
- The Consolidated Plan of Action for Science and Technology 2008-2013.

The Pan African University shall be globally competitive and locally relevant and attracting the best professionals and students from inside and outside Africa. It shall therefore meet the requirements and standards of the modern academic world in terms of quality teaching, learning and research and deliver on the social and economic development challenges of the continent.

The Pan African University shall take into account the cultural, scientific and financial capacities of the continent in order to harness and optimize the academic values and competences within Africa and the Diaspora. In this regard, the PAU shall constitute a network of graduate teaching and research institutions that are already operational in African Union countries.

To meet its objectives, the PAU requires financial resources that should be assured in terms of allocation, adequacy, and timely disbursement.

Following the decision of the Conference of Heads of State and Governments of the African Union to create the Pan African University, the present document constitutes the Statute of the Pan African University.

Article 1: Principles

The Pan African University is a continental academic and research institution operating in African Union Member countries and is based on the following guiding principles:

- Academic freedom, autonomy and accountability;
- Quality assurance;
- Strengthening existing African institutions at the graduate level to enable them to serve the whole continent;
- Promotion of African integration through the mobility of students, academic and administrative staff, as well as the development of collaborative research linked to the challenges faced by African countries;
- Excellence and international partnerships in academic and research activities;
- Institution of an appropriate framework and a conducive environment to enable the African Diaspora to contribute towards the development of higher education and research in Africa;
- Promotion of inter-disciplinary and multidisciplinary research programmes integral to policy making processes in Africa;
- Promotion and harnessing of productive linkages with the industrial sector for innovation and dissemination of new knowledge and technology
- Promotion of full use of Information and Communication Technologies for pedagogy, research and management; and
- Promotion of gender parity and equality at all levels and in all university functions
- Promotion of access to higher education for persons with disabilities

PAU shall take into account basic principles of the United Nations Charter and the Universal Declaration of Human Rights.

Article 2: Objectives

1. The training and research activities of the PAU shall be focused on priority issues which shall enable it to attain the following objectives:
 - To develop continent-wide and world-class graduate and postgraduate programmes in science, technology, innovation, humanities and social sciences and governance;
 - To stimulate collaborative, internationally competitive, leading edge fundamental and economic growth-oriented research, in areas having a direct bearing on the scientific, economic and social development of Africa;
 - To enhance the mobility of students and academic staff among African universities to improve on teaching and collaborative research;
 - To contribute to the capacity building needs of present and future stakeholders of the African Union;
 - To improve on the attractiveness of African higher education and research institutions to retain talented young professionals on the African continent;
 - To initiate and invigorate mutually beneficial partnerships with public and private sectors within Africa and the Diaspora as well as internationally; and
 - To facilitate the emergence and strengthening of an African higher education and research platform.
2. To carry out its aims and objectives effectively, the PAU may enter into agreements and contracts with governments, international organisations or other relevant partners, for pedagogic, research, management and funding purposes;

Article 3: Academic Freedom and Autonomy

1. The PAU shall benefit from the basic principles applicable to all higher education institutions, particularly academic freedom, autonomy and accountability. The observance and respect of these rights shall enable the PAU to function under the best attainable conditions and standards within the framework of the common rules governing the institutions of the African Union.
2. The PAU as well as the host countries of its institutes and centres shall grant its members the academic freedom and self governance in teaching and research. In this respect, the PAU shall accord academic staff and researchers appropriate full independence, and shall equally grant students full learning rights and privileges.
3. The PAU shall competently conclude specific agreements with countries where the University operates to provide the latter with the requisite afore-mentioned freedoms which are essential for its functioning.

Article 4: Structure

1. The PAU shall be an academic network of existing African institutions operating at graduate level.
2. The PAU shall comprise five Institutes corresponding to the thematic areas defined in Article 4 Clause (3) below. These Institutes shall be located in the five geographic regions of the African Union, namely: North Africa, West Africa, Central Africa, East Africa and Southern Africa;
3. The following five thematic areas shall constitute the academic structure of the PAU:
 - i. Space sciences
 - ii. Water and Energy sciences (including climate change)
 - iii. Basic Sciences, Technology and Innovation
 - iv. Earth and Life Sciences (including health and agriculture)
 - v. Governance, Humanities and Social Sciences;
4. Affiliated to each Institute, there shall be a network of Centres located on the continent and working on the same thematic area of the thematic Institute.
5. The Centres of the PAU shall be identified following a process of selection based on public calls of application addressed to African Universities with focus on high quality standards.
6. Hosting Agreements shall be signed with host countries of Institutes and Centres.

Article 5: Governance and Management

- The management of PAU shall be based on the institutional values of efficiency, excellence, flexibility, transparency, equity, responsibility, accountability and continuous assessment. To this effect, strategic plans with qualitative and quantitative performance indicators as well as follow-up tools shall be drawn up.

The management organs of the PAU shall be:

- The PAU Council;
- The Rectorate;
- The Senate.
- Institute Board
- The Regulations of the PAU shall be adopted by the PAU Council.
- The PAU graduation ceremony will be presided over by the AUC Chairperson or its representative
- The Rector of the PAU is equivalent in rank to the Vice Chancellor of the host University housing the PAU Institute

Article 6: The PAU Council

1. The PAU Council shall be the supreme governing body of the University and shall be the body that has oversight of the policy, finances and property of the PAU.

2. Council members shall be appointed by the Chairperson of the African Union Commission based on the recommendation of the Commissioner of Human Resources, Science and Technology, after consultation with COMEDAF Bureau.
3. The Council shall be constituted of twenty five (25) members as follows:

Non-Elected Members:

- the Chair of the African Union Commission or his/her representative;
- the Commissioner for Human Resources, Science and Technology or his/her representative;
- the UNESCO Director General or his/her representative;
- the President of the Association of African Universities or his/her representative;
- Chair of COMEDAF or his/her a representative

Elected Members:

- Two representatives from each of the five geographic regions of the African Union. One of the two representatives shall be academic, and the other one from civil society or industry. These members shall be proposed by the RECs and appointed by the Chair of the AUC;
- two representatives of the PAU Senate;
- one representative of the Directors of the Institutes
- one representative of the Coordinators of the Centres;
- a representative of academic staff;
- a representative of administrative staff;
- a representative of the African Diaspora;
- two representatives of students;
- one representative of Lead Thematic and Development Partners

Ex-Officio Members

PAU Rector

Vice Rectors

4. Elected Council members shall each serve a three-year term renewable once. Half of the Council members shall be replaced every three years. After the first three years half of the elected members shall be replaced by ballot.

Functions of the PAU Council:

5. Amongst other functions, the Council shall be responsible for the following:
 - appointment, promotion and discipline of academic, research and senior administrative staff;
 - Adoption, review and amendment of staff terms and conditions of service.
 - identification and recommendation of new Centres;
 - identification and recommendation of new Institutes in the unlikely event of the closure of an existing Institute;
 - issue of directives and adoption of all relevant measures referred to in this Statute, particularly the bylaws;
 - approval of the PAU programmes and budgets;
 - discussion and approval of the Rector's annual report;
 - approval of the strategic and operational plans;
 - approval of agreements and conventions to be signed by the Rector;
 - performing all other functions necessary for the smooth operation and development of the PAU.
6. The Council shall elect for a three-year term, renewable once, two members to serve as President and Vice-President.
 - The following members shall be non-eligible Members for the Positions of President and Vice-President of PAU Council:
 - Chair of the African Union Commission or his/her representative;
 - Commissioner for Human Resources, Science and Technology or his/her representative;
 - UNESCO Director General or his/her representative;
 - representatives of students;
 - representative of Lead Thematic and Development Partners
7. The President of the Council shall:
 - Set the agenda of the Council sessions in consultation with the Rector;
 - Summon the Council members to attend Council sessions;
 - Presides over the Council;
 - Monitors discussions;
 - Represents the Council;

- Receives all communications addressed to the Council; and signs all official documents, especially the minutes.
 - In the absence of the President, the meeting shall be chaired by the Vice-President.
8. The Rector shall serve as Secretary to the Council.
 9. Minutes of Council sessions shall be sent to the Commissioner of Human Resources, Science and Technology who shall in turn forward them to the Chair of the African Union Commission.
 10. The Council shall meet once a year in an ordinary session. Extraordinary sessions of Council may be convened at the request of the President or at least 2/3 of Council members and in consultation with the Commissioner in charge of education.
 11. The outcome of the decision of the Council will be by simple majority
 12. The Council shall constitute committees or working groups as it deems necessary.

Article 7: The Rector

1. The Rector is the Chief Executive of the PAU. He/she shall be appointed by the Chair of the African Union Commission, on the recommendation of the Commissioner of Human Resources, Sciences and Technology. The Commissioner shall first shortlist three candidates for this position, on the basis of a call for applications, after consulting with the PAU Council.
2. The Rector shall be appointed for a period of five years, renewable once.
3. The Rector is responsible for implementing the general policy, strategy and multi-annual planning; he/she is also responsible for the corporate and public image of the University, including its external relations. He/she shall specifically be in charge of the following:
 - preparing and presenting the activity report of the University to the Council;
 - ensuring the implementation of the decisions of the Council;
 - ensuring the required co-ordination between Directors of Institutes and Coordinators of Centres;
 - ensuring the implementation and the periodical monitoring of the multi-annual strategic development plan approved by the Council;
 - committing and releasing the expenses for which provision was made in the budget approved by the Council and of which he/she is the authorizing officer;
 - managing the University personnel;
 - signing bilateral agreements between PAU and host institutions as approved by the Council
 - signing agreements and conventions with Governments, and national or international organizations on the approval by the Council subject to article 6(5) in view of securing reciprocal provision of services that contribute to the realization of the objectives of the Pan African University as they are outlined in Article 2;

- signing agreements, on the approval by the Council, pertaining to voluntary donations or contributions from Governments, national or international organizations, private or public or any other donor organization for the benefit of the Pan African University;
 - Providing the Council with the required services.
4. The Rector shall have the right to set up specific consultative committees related to the formulation or the implementation of the multi-annual strategic development plan of the Pan African University.
 5. The Rector shall be supported in his/her functions by three Vice Rectors:
 - Vice-Rector Research, Development and Cooperation;
 - Vice-Rector Academic and Students Affairs.
 - Vice-Rector Finance and Administration

Article 8: The Senate

1. The Senate shall be the organ of the Pan African University in charge of academic affairs and research.
2. It shall make recommendations to Council in the following domains:
 - organisation, promotion and control of teaching activities;
 - organisation, promotion and control of research activities;
 - admission, welfare and discipline of students, as well as awarding of degrees.
 - Collaborate with host institutions to develop policies for realization of PAU goals
3. The Senate shall be presided over by the Rector or in his/her absence, by the Vice-Rector of Research Development and Cooperation or the Vice-Rector Academic and Students Affairs.
4. The Senate shall meet at least twice a year in ordinary sessions. Extraordinary sessions may be convened at the request of the Rector or at least 2/3 of Senate Members.
5. The membership of the Senate shall be appointed by PAU Council on the recommendation of the Rector and be constituted as follows:
 - Rector as a Chairperson;
 - Vice-Rector Research, Development and Cooperation;
 - Vice-Rector Academic and Students Affairs.
 - The five Directors of Institutes;
 - Five representatives of academic and research staff, one from each thematic area;
 - Five student representatives (one from each geographic region)
 - One scientific representative of each Lead Thematic Partner.
 - One representatives of the Diaspora
 - One representative of Coordinators of Centres
6. The Senate shall sit at the Rectorate or any other convenient place within the five thematic institutes

7. The Senate quorum shall be formed by two-third majority
8. The following two Committees shall assist the Senate:
 - the Committee of Directors of Institutes;
 - the Committee of Coordinators of Centres;

These Committees shall meet twice a year, just before the Senate ordinary sessions.

Article 9: University Staff

1. The PAU staff shall comprise the following categories:
 - Full-time academic and administrative staff from host countries;
 - Full-time academic staff from other Member States, African Diaspora, partners and elsewhere as need arises;
 - Part-time academic and administrative staff from host countries;
 - Part-time academic staff and visiting academic and research staff from Member states, partners and African Diaspora.
2. Academic and administrative of staff put at the disposal of the PAU by the host country, shall remain employees of their host institution. This includes:
 - Academic and research staff;
 - Administrative personnel;
 - Technical personnel;
 - Service (support) personnel.
3. Full-time academic staff from other Member States, the Diaspora and from partners shall be hired by the PAU for specific periods;
4. A visiting academic and research staff shall obtain a mission order signed by the Rector of the PAU at the request of the host institutions;

Article 10: Directors of Institutes

1. Each Institute shall be headed by a Director. Directors shall be appointed by the Rector, following consultation with the Council and the host institution, and the approval by the Commissioner for Human Resources Science and Technology.
2. The Director shall be from the host university, in an event the university cannot provide one, an alternative candidate would be appointed from the host country
3. The Institute shall have a Board
The Director shall be supported and guided in running the Institute by a Board whose membership shall consist of:
 - (i) Director of the Institute
 - (ii) All Center coordinators
 - (iii) All full time academic staff
 - (iii) Two representatives of Host Institute Senate

- (iv) The administrative officer of the Institute shall be the secretary of the Institute Board
 - (v) They shall have power to invite other scholars of the Host University to attend its meetings in advisory capacity only and without the right to vote at such meetings.
4. The Institute Board shall be answerable to Host University Senate and PAU Senate in respect of postgraduate studies in the Institute and shall in particular have responsibility over the following matters:
 - (i) The co-ordination of postgraduate curriculum and regulations
 - (ii) The admission of postgraduate students
 - (iii) The administration of postgraduate scholarship
 - (iv) The administration and processing of postgraduate theses projects or research papers
 - (v) The proper conduct and supervision of the postgraduate studies programme
 - (vi) The general welfare and discipline of postgraduate students.
 5. In respect of the co-ordination of postgraduate curriculum and regulations, the Board shall:
 - (i) Have primary responsibility of the enforcement of the common regulations for the Master's and Doctoral degrees in the Institute and Centres;
 - (ii) Make available all information related to postgraduate studies by publishing a prospectus and bibliographies of records of postgraduate research done or to be done within the Institute;
 - (iii) Publish and make available records of published work arising from postgraduate research undertaken within the Institute, or within any other University as long as such work is, in the opinion of the Board, of particular relevance to postgraduate research in the Pan African University and
 6. In respect of admission of students the Board shall:
 - (i) Advertise all such programmes and receive in such format as may be specified by Senate, applications in respect thereof
 - (iii) Send letters of admission to successful candidates and also notify the Centers, Host University and Pan African University Rectorate
 - (iv) Send all relevant information to the successful and unsuccessful candidates
 - (v) Publish the postgraduate nominal roll
 - (vi) Register all students, and thereafter refer them to their respective Centers
 - (vii) Keep under review, the progress of each student and make such recommendations thereon to the Senates as may be appropriate and
 - (viii) Remove from the nominal roll the name of any student whose discontinuation or de-registration is approved by Senate.
 7. In respect of the administration of postgraduate scholarships, the Board shall:
 - (i) Be responsible for receiving from the PAU Rectorate and collaborating Universities all scholarships which shall, in that behalf be dealt with in the manner specified thereafter
 - (ii) Advertise all such scholarships
 - (iii) Allocate such scholarships to those applicants who fulfill the applicable academic requirements as well as any specific terms that may be attached to the scholarships tenable at the University.
 8. In respect of the administration and processing of postgraduate thesis, projects and research papers, the board shall:

(i) Be responsible for receiving and approving the nominations by Host University and Centers, of supervisors for all postgraduate research leading to the preparation of theses, projects or any other similar work, and acting always in that behalf, hold the responsibility specified hereinafter.

9. The Director of an Institute shall ensure the effective co-ordination between the Coordinators of Centres operating within the same thematic area. In this respect, he/she shall preside over the corresponding Annual General Meeting of the Coordinators of Centres in order to draw up the sectoral report including an activity report. This report shall be sent to the Rector prior to the Senate meetings among others but not limited to;

The Director shall:

- ensure effective co-ordination between the Coordinators of all PAU Centres of
- be a Senate Member of the host University and reports periodically to the Rectorate/Vice-Chancellery on the activities of the host University
- liaise between the host University, host government and the PAU
- Prepare and present activities report of the Institute monthly to the Rector/Vice-Chancellor
- ensure implementation of the decisions of the PAU
- ensure required co-ordination between Centres of the Institute
- ensure implementation and the periodic monitoring of the multi-annual strategic development of the Institute
- ensure commitment and release of funds for which provision was made in the budget approved by the Rectorate/Vice-Chancellery and he/she is the authorizing officer for the Institute
- manage the Institute personnel, property, equipment etc
- sign agreements, on the approval by the Rectorate/Vice-Chancellery, pertaining to voluntary donations or contributions from Governments, national or international organizations, private or public or any other donor organization for the benefit of Institute and the Pan African University;
- Keep records on the progress of postgraduate research, and in this connection receive from Faculties and Centres recommendations for the de-registration of candidates whose work is unsatisfactory or for their dis-continuation for sufficient cause and make such recommendations for the Senate as it shall deem appropriate.
- Process the appointment of Board of Examiners for Postgraduate theses, projects or other related presentations.
- Send out invitations to examiners for postgraduate research presentations, on the recommendation of the relevant faculties or schools
- Make copies of submitted theses, projects or similar presentations to be forwarded to examiners.
- Receive written assessment of such theses, projects or similar presentation from the examiners.
- Convene Board of Examiners meetings in consultation with the Deans of Faculties, Schools or Centres concerned.
- Forward recommendations of the board of examiners to the Vice Chancellor of Host University and PAU Rector for approval on behalf of the respective Senates where the verdict of such Board is unanimous; provided that in the absence of unanimity of the

examiners recommendations shall be deliberated upon by the Board and recommendations thereon made to the Senates.

- undertake any other work or responsibility as may be assigned to him/her by the Rector
10. The conditions of service, including rights and privileges for Directors shall be defined in a specific policy document.

Article 11 the Coordinators of a Centre

1. There shall be Centers under each Institute. Each center shall be regarded for administrative purposes as being a constituent part of the Institute.
2. Each Centre shall be headed by a Coordinator. Coordinators shall be appointed by the Rector, following consultation with the Council and the host institution, and the Commissioner for Human Resources Science and Technology.
3. In addition to his teaching, research and other duties and responsibilities, the Coordinator of a Center shall:
 - ensure effective co-ordination between the Centre and the Institute as well as the host University
 - be a Senate Member of the host University and reports periodically to the Institute Director on the activities of the host University and others
 - liaise between the host University, host government and the PAU
 - prepare and present activities report of the Centre monthly to the Director of the Institute
 - ensure implementation of the decisions of the PAU and the Institute in the Centre
 - ensuring required co-ordination between the Centre and the Institute
 - ensure implement and the periodic monitoring of the multi-annual strategic development of the Centre
 - ensure commitment and release funds for which provision was made in the budget approved by the PAU of which he/she is the authorizing officer for the Centre
 - manage the Centres' personnel, property, equipment etc
 - The Coordinator shall, with the assistance of programme officers, be in charge of executing the academic and research programmes of the Centre. He/She shall particularly ensure the follow up in relations to trainers, admission and graduation of students, promotion of relationship with students, management of internships, follow-up, assessment and issuance of degrees.
 - Act as the representatives of the Rector in the Center and administer the University policies at the Center level.
 - Act as the academic and administrative heads of the Center.
 - Hold regular Center meetings and ensure that the members of staff attend such meetings where the Coordinator and the entire staff have an opportunity to exchange ideas on policy matters.
 - Represent the Center on the appropriate University Committees and other bodies as required;
 - at all times use his/her best endeavor to ensure that proper and acceptable standards of teaching and research are maintained in the Center.
 - be required to publish annual reports on their Center's performance.

- Submit the Center budget, procurement plans, annual reports and performance contracts.
 - Undertake any other work or responsibility as may be assigned to him/her by the Director
11. The conditions of service, including rights and privileges for Coordinators shall be defined in a specific policy document.

Article 12: Intellectual Property Rights

1. All the ideas, inventions and innovations emanating from the research/activities done under PAU shall be patented in the host country in the name of the innovator(s), host University and PAU. PAU shall develop a policy document in consultation and concurrence with the host University/country on Intellectual Property Rights registration, patenting and sharing of proceeds from commercialized patents.
2. The policy document shall be reviewed in line with the international treaties and conventions.
3. The host country policy should have supremacy over other policies in event of ambiguity or otherwise

Article 13: PAU Research Policy

1. The PAU shall develop its own research policy which may vary from institute to institute depending on the nature of their activities and programmes
2. The research policy shall be in consonance with the country's scientific and technological research policy
3. In an event where there are ambiguity or disagreement the national law on research policy should have supremacy

Article 14: The Endowment Fund

1. An Endowment Fund shall be created under the auspices of the Summit of the African Union based on voluntary contributions.
2. The following shall be contributors to the Endowment Fund:
 - The Governments of Member States of the African Union;
 - Regional Economic Communities (RECs)
 - Development Partners and relevant Donors;
 - Public and private sources.
3. The management of the Endowment Fund shall be in conformity with the general financial principles applicable to AU institutions.
4. Each country hosting an Institute, a Centre or the Rectorate shall be required to commit additional resources.

Article 15: Budgeting and Financing of the University

1. The PAU budget shall be managed under the general financial regulations applicable to all AU institutions;
2. The annual budget prepared by the Rector shall be adopted by the PAU Council.
3. Following the approval of the annual budget, the Rector shall proceed to execute the budget in conformity with the provisions of the AU financial regulations;
4. The Rector shall prospect for financial opportunities and, on the approval of the Council, conclude agreements and conventions under which funding would be raised for the University;
5. The Rector shall present annually a financial report to the Council for approval;
6. The accounts of the PAU shall be audited annually by an external auditor appointed by the Commissioner for Human Resources, Science and Technology.

Article 16: Headquarters

The location of the Rectorate shall be decided by COMEDAF following an open call to AU Member States. A Memorandum of Understanding shall be signed in this respect with the host country selected.

Article 17: Special Provisions

1. Article headings in this Charter are for the purposes of convenient reference only and shall not affect the meaning or interpretation of any provisions of the Charter.
2. This Statute constitutes the entire agreement of the PAU and supersedes any and all prior agreements.
3. This Statute shall be governed by and construed in accordance with the rules of the African Union Commission.
4. Any amendment to the Statute shall be decided by the AU Commission.
5. In witness whereof this Statute has been adopted by.....as of the date first written above.
6. This present Statute shall take effect as from.....