



**FIRST MEETING OF THE SPECIALISED TECHNICAL
COMMITTEE ON SOCIAL DEVELOPMENT,
LABOUR AND EMPLOYMENT (STC-SDLE-1)
ADDIS ABABA, ETHIOPIA
20-24 APRIL 2015**

Theme: *“Social Protection for Inclusive Development*”

**DRAFT
RULES OF PROCEDURE OF THE SPECIALIZED TECHNICAL
COMMITTEE ON SOCIAL DEVELOPMENT, LABOUR AND
EMPLOYMENT**

GENERAL PROVISION

The Executive Council,

Having regard to the Constitutive Act of the African Union, and in particular Articles 14, 15 and 16,

Having regard to Decisions Assembly/Dec. 227 (XII) and Assembly/Dec.365(XVII) on Specialized Technical Committees,

HAS ADOPTED THESE RULES OF PROCEDURE:

RULE 1 Use of terms

In these Rules:

- (a) **“Assembly”** means the Assembly of Heads of State and Government of the African Union;
- (b) **“Chairperson”** means the Chairperson of the Specialized Technical Committee on Social Development, Labour and Employment;
- (c) **“Commission”** means the Secretariat of the African Union;
- (d) **“Constitutive Act”** means the Constitutive Act of the African Union;
- (e) **“Executive Council”** means the Executive Council of Ministers of the African Union;
- (f) **“Member State”** means a Member State of the African Union;
- (g) **“National Delegation”** means Delegation composed of Officials of Government in charge of social development, Labour and Employment in Member States and the Representatives of Employers and Workers’ Organizations from Member States;
- (h) **“RECs”** means Regional Economic Communities
- (i) **“Social Partners”** means representatives of Employers and Workers’ Organizations of Member States;
- (j) **“STC”** means a Specialized Technical Committee of the African Union;
- (k) **“STCs Coordination Mechanism”** means the Bureaus of all STCs of the African Union;

- (l) **“Union”** means the African Union established by the Constitutive Act;
- (m) **“Vice-Chairpersons”** unless specified otherwise, means the Vice-Chairpersons of the STC on Social Development, Labour and Employment.

RULE 2 Status

The STC on Social Development, Labour and Employment is an Organ of the Union in accordance with Article 5 (1) (g) of the Constitutive Act. It shall be responsible to the Executive Council.

RULE 3
Composition

1. The STC on Social Development, Labour and Employment shall be composed of Ministers in charge of Social Development, Labour and Employment or such other Ministers or Authorities duly accredited by Member States and the Senior Representatives of the most representative Employers and Workers' Organizations of Member States..
2. The STC on Social Development, Labour and Employment includes Experts of the Government and social partners from Member States responsible for sectors falling within the areas of competence of the STC on Social Development, Labour and Employment, whose meetings shall precede the meetings at Ministerial level. Unless specified otherwise, the meeting of Experts shall be governed, *mutatis mutandis*, by relevant provisions of these Rules.
3. The tripartite principle shall apply to the meetings of STC on Social Development, Labour and Employment at Ministerial and Experts Levels.

RULE 4
Accreditation

National Delegations of Member States to sessions of the STC on Social Development, Labour and Employment shall be duly designated and accredited representative of Government and Social Partners.

RULE 5
Powers and Functions

1. In addition to the functions provided for in Article 15 of the Constitutive Act of the Union, the STC on Social Development, Labour and Employment shall, inter-alia:
 - i) bring about and develop cooperation among African countries in the field of labour, social protection, productivity and employment;
 - ii) review and harmonize social security/social protection legislation to extend coverage, in particular to excluded categories of workers;
 - iii) consider issues relating to migrant workers in Europe and elsewhere in the framework of the UN convention on migrant workers and the EU-Africa strategic partnership on migration, mobility and employment;
 - iv) study labour, employment, social protection/security and productivity problems affecting or likely to affect the African continent, and proposing appropriate recommendations to the Council of ministers for submission to the Assemble of Heads of State and Government;
 - v) consider and develop appropriate response to labour and social issues in Africa in collaboration with ILO and other Specialized Agencies of the UN or any other Organization;
 - vi) establish a common African position in order to present a united front in the defence of African interests both at the international Labour Conference

(ILC), and at any other international fora dealing with labour, social protection, productivity and employment problems;

- vii) promote Tripartism and freedom of association in Africa, collective bargaining and working for tripartite consensus in the fields of labour, social protection/security, productivity and employment;
 - viii) ensure that RECs are fully involved in the implementation of the AU policies on labour, social security and employment;
 - ix) review and assess progress made by Member States and RECs in implementing the various instruments in the area of social development, labour, social protection, employment and productivity, identify gaps, constraints and best practices;
 - x) follow-up on progress made in implementing the Social Policy Framework for Africa;
 - xi) adopt recommendations to enhance social development and integration in Africa and promote the rights and welfare of the most vulnerable group of the society;
 - xii) share and exchange good practices on social development in Member States including policies and programmes;
 - xiii) adopt common position on social development issues to constitute Africa's contribution to international fora;
 - xiv) carry out any other functions assigned to it by the Executive Council or the Assembly.
2. The STC on Social Development, Labour and Employment may set up Sub-committees and temporary working groups, as it deems necessary.
 3. The functioning, mandate, composition of such Sub-committees and temporary working groups shall be determined by the STC on Social Development, Labour and Employment.

RULE 6

Venue

1. The Ordinary Sessions of the STC on Social Development, Labour and Employment shall be held at the Headquarters of the Union.
2. In the event the session is held outside the Headquarters of the Union, the host Member State shall be responsible for all extra expenses incurred by the Commission as a result of holding the session outside the Headquarters.
3. In conformity with Rule 5 (3) of the Rules of Procedure of the Assembly, Member States offering to host sessions of the STC on Social Development, Labour and Employment shall not be under sanctions and shall be required to meet pre-

determined criteria, including adequate logistical facilities and a conducive political atmosphere.

4. Where two (2) or more Member States offer to host a session, the STC on Social Development, Labour and Employment shall decide on the venue by simple majority.
5. Where a Member State that had offered to host a session of the STC on Social Development, Labour and Employment is unable to do so, the session shall be held at the Headquarters of the Union, unless a new offer is received and accepted by Member States.

RULE 7

Convening of Sessions

The Commission will be responsible for convening and servicing all the meetings of the STC on Social Development, Labour and Employment.

RULE 8

Quorum

1. The quorum for a session of the STC on Social Development, Labour and Employment shall be two-third majority of National Delegations from Member States eligible to vote.
2. The quorum for meetings of Experts, Sub-committees or temporary working groups of the STC on Social Development, Labour and Employment shall be a simple majority.

RULE 9

Ordinary Sessions

The STC on Social Development, Labour and Employment shall meet once every two (2) years.

RULE 10

Agenda of Ordinary Sessions

1. The STC on Social Development, Labour and Employment shall adopt its Agenda at the opening of each session.
2. The Provisional Agenda of an ordinary session shall be drawn up by the Commission in consultation with the Bureau of the STC on Social Development, Labour and Employment and may include item (s) proposed by Member States. The Commission shall communicate the provisional agenda and the working documents to Government of Member States and Social Partners at least thirty (30) days before the opening of the session.

RULE 11

Other Agenda Items

Any additional agenda item, which a National Delegation wishes to raise at a session of the STC on Social Development, Labour and Employment, shall only be considered under the agenda item "Any Other Business". Such agenda items shall be for information only and not subject to debate or decision.

RULE 12

Extraordinary Sessions

1. The STC on Social Development, Labour and Employment may meet in an extraordinary session, subject to availability of funds, at the request of:
 - a) the policy organs of the Union,
 - b) the STC on Social Development, Labour and Employment itself, or
 - c) any National Delegation from Member State, upon approval by a two-thirds majority of the Member States.
2. The extraordinary sessions shall be held in conformity with Rule 6 above.

RULE 13

Agenda of Extraordinary Sessions

1. The Commission shall communicate the Provisional Agenda and working documents of an extraordinary session to Government of Member States and Social Partners at least fifteen (15) days before the opening of the session.
2. The Agenda of an extraordinary session shall comprise only the item(s) requiring the urgent attention of the STC on Social Development, Labour and Employment.

RULE 14

Open and Closed Sessions

All the sessions of the STC on Social Development, Labour and Employment shall be closed. It may, however, decide by simple majority whether any of its sessions shall be open.

RULE 15

Working Languages

The working languages of the STC on Social Development, Labour and Employment shall be those of the Union.

RULE 16

Bureau

1. The STC on Social Development, Labour and Employment shall, on the basis of rotation and geographical distribution, elect, after due consultations, a Chairperson and other members of the Bureau, namely, three (3) Vice-Chairpersons as well as a Rapporteur.
2. The Members of the Bureau shall hold office for a period of two (2) years.
3. The Bureau will meet at least once every year.

RULE 17
Duties of the Chairperson

1. The Chairperson shall:
 - a) Preside over all the proceedings of the Ordinary and Extraordinary sessions;
 - b) open and close the sessions;
 - c) submit for approval the records of the sessions;
 - d) guide the proceedings;
 - e) submit to a vote matters under discussion and announce the results of the vote taken;
 - f) rule on points of order.
2. The Chairperson shall ensure order and decorum during the proceedings of the sessions.
3. In the absence of the Chairperson or in case of a vacancy, the vice-Chairpersons or the rapporteur in order of their election shall act as the Chairperson.
4. The Chairperson shall attend the sessions of the Executive Council and take part in the annual meeting of the Bureaus of all STCs.

RULE 18
Attendance and Participation

1. In accordance with Rule 4, the Ministers in charge of Social Development, Labour and Employment shall attend and participate personally in the sessions. In the event that they are not in a position to attend personally, duly accredited representatives shall represent them.
2. The duly designated and accredited Representatives of the Social Partners in Member States shall equally attend and participate personally in the STC sessions.
3. The government of each Member State shall meet the expenses of its tripartite national delegation.
4. The Representatives of the Organs of the Union and Regional Economic Communities (RECs) shall be invited to attend the sessions of the STC on Social Development, Labour and Employment.
5. The STC on Social Development, Labour and Employment may invite, as Observer, any person or Institution to attend its sessions. Such Observer may be invited to make written or oral interventions but shall not be entitled to vote.

RULE 19
Majority required for decisions

1. The STC on Social Development, Labour and Employment shall take all its decisions by consensus, failing which:
 - a) at the Ministerial level, by a two-thirds majority of National Delegation present and eligible to vote;

- b) at the Experts' level, by a simple majority of National present and eligible to vote.
2. Decisions on questions of procedure shall be taken by a simple majority of National Delegations from Member States eligible to vote.
3. Decisions on whether or not a question is one of procedure shall also be determined by a simple majority of National Delegation eligible to vote.
4. Abstention by a National Delegation of a Member State eligible to vote shall not prevent the adoption by the STC on Social Development, Labour and Employment of decisions by consensus.

RULE 20

Amendment of Decisions

1. A proposed decision or an amendment (s) thereof may at any time, prior to it being submitted to a vote be, withdrawn by the initiator.
2. Any other National Delegation may reintroduce the proposed decision or amendment that has been withdrawn.

RULE 21

Point of Order

1. During deliberations on any matter, a National Delegation may raise a point of order. The Chairperson, in accordance with these Rules, shall immediately decide on the point of order.
2. The National Delegation concerned may appeal against the ruling of the Chairperson. The ruling shall immediately be put to a vote and decided upon by simple majority.
3. In raising a point of order, the National Delegation concerned shall not speak on the substance of the issue under discussion.

RULE 22

List of Speakers and Use of the Floor

1. The Chairperson shall, subject to Article 23 of the Constitutive Act, during the debate, grant the use of the floor in the order in which the speakers indicate their intention.
2. A delegation or other invitee shall not have the floor without the consent of the Chairperson.
3. The Chairperson may, during the debate:
 - a) read out the list of speakers and declare the list closed;
 - b) call to order any speaker whose statement deviates from the issue under discussion;

- c) accord the right of reply to any delegation where in his/her opinion a statement made after the list is closed justifies the right of reply; and
 - d) limit the time allowed to each delegation irrespective of the issue under discussion, subject to sub Rule 4 of this Rule.
4. The Chairperson shall, on procedural questions, limit each intervention to a maximum of three (3) minutes.

RULE 23
Closure of Debate

When a matter has been sufficiently discussed, the Chairperson shall close the debate at his/her discretion.

RULE 24
Suspension or Adjournment of the Meeting

During the discussion of any matter, a National Delegation may move for the suspension or adjournment of the meeting. No discussion on such motions shall be permitted. The Chairperson shall immediately put such motion to a vote.

RULE 25
Order of Procedural Motions

Subject to Rule 21, the following motions shall have precedence in the order listed below, over all other proposals or motions before the meeting:

- a) suspend the meeting;
- b) adjourn the meeting;
- c) Adjourn the debate on the item under discussion;
- d) Close the debate on the item under discussion.

RULE 26
Voting Rights

1. Each eligible National Delegation shall have, one vote.
2. National Delegation from Member States, subject to sanctions under Article 23 of the Constitutive Act, shall not have the right to a vote.

RULE 27
Consensus and Vote on Decisions

After the debate has been closed, the Chairperson shall immediately put to a vote the proposal with all the amendments. The vote shall not be interrupted except on a point of order related to the manner in which the vote is being taken.

RULE 28
Vote on Amendments

1. When there is no consensus, the Chairperson shall put all amendments to vote.
2. A proposal shall be considered as an amendment to a text if it adds or removes there from.

RULE 29
Methods of Voting

The Methods of Voting shall be determined by the STC on Social Development, Labour and Employment.

RULE 30
Reports and Recommendations

The STC on Social Development, Labour and Employment shall submit reports and recommendations arising from its deliberations to the Executive Council for consideration.

RULE 31
Implementation

The STC on Social Development, Labour and Employment may lay down guidelines and supplementary measures to give effect to these Rules.

RULE 32
Amendments

The STC on Social Development, Labour and Employment may propose to the Executive Council amendments to these Rules.

RULE 33
Entry into Force

These Rules shall enter into force upon their approval by the Executive Council.

Adopted by the.....Ordinary Session of the Executive Council, held.....