

**DRAFT STATUTE OF  
THE AFRICAN HUMANITARIAN AGENCY  
(AfHA)**

**JANUARY 2020  
ADDIS ABABA, ETHIOPIA**

25-February 2020

## STATUTE OF THE AFRICAN HUMANITARIAN AGENCY (AfHA)

**CONSIDERING** the Constitutive Act of the African Union **which** takes cognizance of the fact that the scourge of conflicts and humanitarian crises in Africa constitute a major impediment to the socio-economic development of the continent, peace, security and stability as prerequisites for the achievement of aspirations of Africa's long-term development and integration.

**REAFFIRMING** Decision Assembly/AU/Dec.604(XXVI) on the implementation of Agenda 2063, **adopted on 31 January 2016**, in Addis Ababa, Ethiopia, especially Aspiration 3 regarding Africa of good governance, democracy, respect for human rights, justice and the rule of law and Aspiration 4 on peaceful and secure Africa.

**RECALLING** the Protocol Relating to the Establishment of the AU Peace and Security Council and the African Peace and Security Architecture, in particular (Article 6(b), (e), (f), Article 12(4), Article 13 (3) (f) and Article 15) **which emphasise early warning, prevention, humanitarian action and disaster management to alleviate the suffering of displaced persons, reconstruction and development of affected areas; and the role of ASF in supporting civilian population in conflict areas and disaster situations.**

**RECOGNIZING** **the** legal and policy instruments for the protection and assistance of forcibly displaced persons in Africa, **adopted by the AU and its predecessor, the OAU**, notably the 1969 OAU Convention Governing the Specific Aspects of the Refugee Problems in Africa and the 2009 AU Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention).

**RECALLING** Decision **Assembly/AU/Dec.604 (XXVI)**, adopted in Addis Ababa, Ethiopia, **by** which **the Assembly** adopted Africa's new humanitarian architecture, encapsulated in the Common African Position on Humanitarian Effectiveness and **ENDORSED** the establishment of an African Humanitarian Agency (**AfHA**), to streamline the coordination of humanitarian action and response in the continent.

**HAS AGREED AS FOLLOWS:**

## SECTION ONE

### GENERAL PROVISIONS

#### Article 1 Definitions

In this Statute, unless stated otherwise:

“**AfHA**” means the African Humanitarian Agency

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

“**ASF**” African Standby Force

“**AU**” and “**Union**” means the African Union as established by the Constitutive Act

“**Board**” means the Governing Board of the AfHA

“**Commission**” means the Secretariat of the African Union as provided by the Constitutive Act of the AU;

“**Committee**” means the Coordinating Committee on Forced Displacement and Humanitarian Action

“**Constitutive Act**” means the Constitutive Act of African Union adopted by the Assembly on 11 July, 2003 in Lomé, Togo;

“**Development/External Partners**” means multilateral institutions development agencies, donors, foundations development agencies, donors, foundations and organizations, including Africa Private Sector that are engaged in humanitarian issues or that contribute financially or otherwise to the AfHA;

“**DPA**” means the Department of Political Affairs of the African Union Commission;

“**DSA**” means the Department of Social Affairs of the African Union Commission;

“**Executive Council**” means the Executive Council of the African Union, as provided by the Constitutive Act of the AU;

“**Member States**” means the Member States of the Union;

“**Policy Organs**” means the Assembly and Executive Council of the African Union;

“**PRC**” means Permanent Representative Committees of the African Union, as provided by the Constitutive Act of the AU;

“**RC**” means Regional Centres

“**RECs**” means the recognised Regional Economic Communities of the African Union;

“**Secretariat**” means the management body of the AfHA;

“**Specialized Institutions and Agencies of the African Union**” means Specialized Institutions and Agencies created or recognized as such by the African Union;

“**Statute**” means the present Statute of the AfHA;

“**STC**” means the AU Specialized Technical Committee on Migration, Refugees and Internally Displaced Persons (IDPs).

## Article 2

### Establishment and Status of the African Humanitarian Agency

1. The AfHA is hereby established as a specialized technical institution of the Commission charged with the responsibility to coordinate humanitarian responses in Member States.

## Article 3

### Legal Capacity

1. The AfHA derives its juridical personality from and through the African Union and shall possess in the territory of the host country legal capacity necessary for the fulfilment of its objectives, and exercise of its functions, including capacity:
  - a) To enter into contracts;
  - b) Acquire and dispose of immovable and movable property; and
  - c) To institute and respond to legal proceedings.

## Article 4

### Mandate of the Agency

The mandate of AfHA shall be to:

- a) ensure effective coordination of humanitarian action in the Continent.
- b) Strengthen the capabilities and capacities of AU Member States and Regional Bodies and Mechanisms in responding to and resolving humanitarian crises.

## **Article 5 Objectives**

1. In carrying out its functions the AfHA shall pursue the following objectives:
  - a) To predict situations that can result **into** humanitarian crises through early warning systems;
  - b) To prevent adverse effects of humanitarian crises through addressing root causes;
  - c) To ensure timely and effective response through building and strengthening capacities of continental, regional and national mechanisms;
  - d) To design strategies for building adaptation and resilience at national and local level for effective response to humanitarian crises.

## **Article 6 Functions**

1. In fulfilment of its primary and secondary mandates, the AfHA will undertake the following functions:
  - a) **collaborate** with different levels in the regions and humanitarian actors to identify and map humanitarian problems in the continent.
  - b) play an advocacy role on humanitarian problems on the continent as the main global level partner of the global humanitarian community;
  - c) monitor, carry out research, assess and develop as well as disseminate regular and comprehensive data and information on displacements, including returnees and other humanitarian problems on the continent of Africa.
  - d) provide strong coordination mechanism on humanitarian issues by developing partnerships and **coordinating** relations with Regional Economic Communities (RECs) especially linking up with their Emergency Response and Assessment Teams; Regional Mechanisms; African Standby Force; Early Warning Institutions; African Centre for Disease Control; Member States; local communities; affected populations and international partners;
  - e) promote and strengthen capacity of Member States through training and provision of support role, including the mobilization of resources within the continent and beyond, to RECs, Member States and its civil protection organisations, including **Red Cross** and **Red Crescent Movements** and to local level first responders as well as African civil society organisations;
  - f) link with RECs, **Regional Mechanisms** and Member States, in building resilience through disaster risks reduction, addressing the causes of disasters and building on existing emergency response and assessment teams, data and synergise to ensure interconnectivity and inter-operability among regional mechanisms with one another, Member States and with AfHA as well as with other humanitarian actors as necessary;
  - g) act in collaboration with RECs, RMs and AU Member States to elevate the visibility of the AU as it alleviates sufferings of persons affected by humanitarian crises;
  - h) **Contribute to Agenda 2063 aspirations for a stable and prosperous continent through addressing rootcauses and durable solutions to forced displacement.***

## Article 7 Guiding Principles

1. The guiding principles of the AfHA shall be:
  - a) **Leadership**: The AfHA shall provide strategic direction in coordinating humanitarian responses in the continent.
  - b) **Humanity**: The AfHA shall treat all humankind humanely and equally in all circumstances by saving lives and alleviating suffering, while ensuring respect for the individual.
  - c) **Impartiality**: The AfHA shall provide humanitarian assistance impartially and without discrimination on the basis of nationality, race, gender, religion, political opinion or class. Humanitarian assistance shall be based on need alone with priority to the most urgent cases of distress.
  - d) **Independence**: The AfHA shall at all times act in accordance with the humanitarian principles and shall be independent and in its operations and maintain autonomy from political, economic, military or any other interference.
  - e) **Neutrality**: The AfHA shall not to take sides in hostilities or engage at any time in controversies of a political, racial, religious or ideological nature.
  - f) **Solidarity**: African customary extension of hospitality/egalitarianism and solidarity with persons in situation of need and distress shall be institutionalized as an integral part of humanitarian response.
  - g) **Accountability**: Transparency and accountability shall apply to all humanitarian actions;
  - h) **Participation and Ownership**: Affected populations/communities shall be the cornerstone of the planning and decision-making processes in humanitarian response.
  - i) **Subsidiarity and Complementarity**: AfHA shall take cognizance of the principles of subsidiarity and complementarity between African Union Commission, other Organs of the African Union, Member States and RECs, the UN and other actors and stakeholders;
  - j) **Gender mainstreaming**: All activities shall consider the gender dimensions of humanitarian action;
  - k) **Vulnerable Groups and People with Special Needs**: All activities must take into account the dimension relevant to women and vulnerable groups especially, children, youth, the elderly and people with special needs.

## **Article 8 Framework**

The AfHA is an Africa-owned institution that adds value and is highly credible and shall operate in collaboration with Regional Centres in the pursuit of its strategic objectives. The AfHA shall therefore operate within the following framework:

1. Development of a shared perception on the continent that forced displacement phenomenon has an impact on regional peace, security and sustainable development of the continent.
2. Work with the Member States and UN Agencies, other multi-sectoral partners such as the African Union specialized institutions and agencies, external partners as well as AfHA Regional Centres to pursue the strategic objectives of the AU in addressing forced displacement issues.
3. Facilitate easy access to critical information by:
  - (a) The establishment of a continental framework for data collection, analysis and sharing;
  - (b) Improvement of data quality and methodology;
  - (c) Development of interchangeable data elements that would help countries **prepare** for and **respond** to disasters and humanitarian crises;
  - (d) Timely dissemination of critical information to Member States.
2. Establish an Emergency Operation Centre (EOC) whose operation shall be guided by the AfHA Framework of Operations **(to be developed and annexed to the present Statute)**.

## **Article 9 Seat of the AfHA**

1. The seat of the AfHA shall be decided by the Assembly.
2. The Secretariat of the AfHA shall be located **at the seat of AfHA**.

## **Article 10 Meetings**

1. The meetings of the AfHA shall be held at its Seat, unless a Member State or cooperating partner offers to host any such session.
2. If a meeting of the AfHA is held outside its seat, the host Member State or cooperating partner shall be responsible for all extra expenses incurred by the Secretariat as a result of holding the meeting outside the seat of AfHA.

**SECTION TWO**  
**GOVERNANCE AND MANAGEMENT OF THE AfHA**

**Article 11**  
**Structure of the AfHA**

1. The structure of the AfHA shall consist of:
  - a) Governing Board
  - b) Secretariat
  - c) Coordinating Committee on Forced Displacement and Humanitarian Action
  - d) Regional Centres.

**Article 12**  
**The Governing Board (Board)**

1. The Board shall be the deliberative organ of the AfHA.
2. The Board shall meet at least once a year in Ordinary Session. It may meet in extra-ordinary sessions, **subject to availability of funds** at the request of:
  - a) The policy organs of the Union;
  - b) The STC;
  - c) Any Member State, upon approval of a two-thirds majority of Member States; or
  - d) The Secretariat, in the event of an impending or occurrence of a disaster or humanitarian crises that necessitate the holding of a Board Meeting.

**Article 13**  
**Composition of the Board**

1. The Board, which is answerable to the **Chairperson of the AU Commission / STC** shall be composed of fifteen **(15)** members, as follows:
  - a) Ten (10) Ministers **R**esponsible for Forced Displacement and Humanitarian Affairs representing the five Regions of the African Union, two per region nominated by their Region.
  - b) Two **(2)** Commissioners of **the** AU Commission (**Political Affairs** Peace and Security and **Social Development, Health and Humanitarian Affairs**), **as non – voting ex-officio**.
  - c) Two **(2)** nominees of the Chairperson of the Commission representing the Private Sector and the Civil Society in consultation with the Chairperson of the Board; including Red Cross and Red Crescent Societies.
  - d) One **(1)** Representatives of UN Agencies with mandates on Human Rights and Humanitarian Issues on **rotational basis**.



2. The Legal Counsel or his/her representative shall attend the Board meetings to provide legal advice as may be required, **non – voting ex-officio**.
3. The Head of AfHA shall serve as the Secretary of the Board, **non – voting ex-officio**.
4. **The Board may invite such expertise as may be necessary.**

#### **Article 14 Election and Term of Office**

1. The ten members of the Board representing Member States shall be selected by their Regions failing which they shall be elected by the RECs;
2. Where applicable, the term of office of members of the Board shall be a non-renewable period of three (3) years for five Member States representatives of each AU Region and a non-renewable period of two (2) years for the other five regional representatives of Member States;
3. The term of office of the two members nominated by the Chairperson of the AU Commission and the one (1) member representing UN organizations with Human Rights and Humanitarian Affairs shall be two (2) years rotational basis and renewable;
4. The Board shall elect by a simple majority for a three (3) year non-renewable term a Chairperson of the Board from among the regional representatives of Member States, taking into account the African Union's principle of regional rotation and gender equity; **or the Chairperson of the Board shall be an eminent African personality of gravitas elected by the Assembly/Chairperson of the AUC**
5. The Board shall also elect, by a simple majority, for a non-renewable two (2) year term, a Vice Chairperson of the Board also from among the regional representatives of Member States, considering the African Union's principle of regional rotation and gender equity;
6. The term of office of the 10 representatives of Member States of the Board shall be guided by the principle of succession based on equitable regional and gender representation.

#### **Article 15 Functions of the Board**

The functions of the Board shall be to:

- a. Provide strategic guidance to the Secretariat, in accordance with AU policies and procedures;
- b. Examine decisions and/or proposals submitted by the Secretariat, and submit **their** recommendations to the **STC**;

- c. Propose amendments to this Statute based on, among other recommendations by the Secretariat;
- d. Ensure that the AfHA strategic humanitarian agenda on prediction, prevention, response and building resilience are integrated into national, regional and continental development strategy;
- e. Approve the designation and re-designation of the Regional Centres based on the recommendation of the Regions and on the criteria stipulated in Article 29 of this Statute; and submit the same to the STC for consideration and approval;
- f. Assist the Secretariat in resource mobilization;
- g. Submit annual reports through the AU Commission to the AU Policy Organs on the activities and achievements of the AfHA;
- h. Examine and approve the AfHA Action plans, budgets, activities and reports, and recommend the same for approval by the AU decision-making Organs.

#### **Article 16**

#### **Quorum and Decision-Making Procedures of the Board**

1. The quorum for Board meetings and its decisions making procedures shall be adopted in the Rules of Procedure of the Board and that of Committee.
2. The Board shall adopt its own Rules of Procedure and that of the Council.

#### **Article 17**

#### **The Coordinating Committee on Forced Displacement and Humanitarian Action (The Committee)**

1. The Coordinating Committee on Forced Displacement and Humanitarian Action, as established under the Humanitarian Policy Framework, shall serve as an advisory and technical body to the AfHA.

#### **Article 18**

#### **Composition of the Committee**

1. The committee shall be composed of twenty-three (23) members as follows:
  - a) Five (5) Representatives of the Regional Centres;

- b) Five (5) Representatives of National Ministries/Departments/Entities or Institutions Responsible for forced Displacement and Humanitarian Affairs on rotational basis considering the AU Regions;
  - c) Two (5) Representatives of African Human Rights and Humanitarian Affairs Networks on rotational basis;
  - d) Two (3) Representatives of the AU Organs, Specialized and Technical Offices and Institutions;
  - e) One (1) Representatives of UN Organizations with mandate on forced Displacement and Humanitarian Affairs on rotational basis;
  - f) One (1) representative of the Red Cross and Red Crescent Societies.
  - g) Two (2) Representatives of the youth and One (1) Representative of the Diaspora.
2. The Head of AfHA shall serve as the Secretary of the **Committee**.
  3. The **Committee** may invite such expertise from relevant stakeholders as deemed necessary.

**Article 19**  
**Term of Office of the Committee**

1. Members of the **Committee** shall serve for a non-renewable term of three (3) years where applicable;
2. The **Committee** shall elect its chairperson and Vice Chairperson by a simple majority, and they shall serve for a non-renewable term of two (2) years.

**Article 20**  
**Functions of the Committee**

1. The **Committee** shall advise the AfHA on:
  - a) Emerging issues and other related matters of prediction, prevention and response to forced displacement and humanitarian issues;
  - b) Durable solutions to forced displacement;
  - c) The strategic plans and activities of the AfHA;
  - d) Capacity building initiative for member states, RECs and Civil Society.
  - e) Opinions on advocacy and resources mobilization;
  - f) Different aspects of early warning, recommendations on early response, post conflict reconstruction and development of areas emerging out of disasters and humanitarian crises;

g) Data collection, analysis and Dissemination.

**Article 21**  
**Meetings, Quorum, Decision Making Procedures**  
**of the Committee**

1. The sessions of the Committee, its quorum, decisions making procedures shall be provided in its Rules of Procedure.
2. The Board shall adopt the Rules of Procedure of the Committee.

**Article 22**  
**Secretariat**

1. The Secretariat shall be responsible for the implementation of the decisions of the policy organs of the Union, the STC, and the Board of the AfHA.
2. The Secretariat shall be headed by Head (**Executive Secretary/Director**) of the Agency and shall report to the Commission through the DSA.
3. The Head (**Executive Secretary/Director**) of AfHA shall be the Chief Executive Officer **of the AfHA**.
4. The Head of AfHA shall be appointed by the Commission on the approval of the Board; and shall serve for a period of four (**4**) years and renewable only once.
5. The Secretariat shall consist of **professionals in the thematic areas of AU humanitarian continuum**; and **administrative** and support staff;
6. The Operations Centre (OPC) referred to in **Article 8(2)** shall be part of the Secretariat;
7. The recruitment of secretariat staff shall be conducted in conformity with relevant AU rules and procedures;
8. **The AU rules, procedures, regulations and directives shall apply in the operation of the AfHA**;
9. Specific rules, procedures and SOPS shall be developed to facilitate timely and speedy response to humanitarian crises.

**Article 23**  
**Functions of the Secretariat**

1. The functions of the Secretariat shall include but not limited to the following:

- a) Assist and support Member States and RECs to develop appropriate mechanisms, policies, programmes and systems for early warning, prediction, prevention and response to forced displacement and humanitarian crises;
- b) Providing technical support and capacity building to the Member States to strengthen their primary responsibility for effective and timely humanitarian response;
- c) Developing and Implementing strategic advocacy program and Stakeholder communication plans.
- d) Networking with Member States, UN Organisations, Regional Humanitarian Organizations, RECs, private sector organizations, Regional Humanitarian and Human Rights Networks, Partners Humanitarian Agencies and other relevant Stakeholders to attain the objectives of the AfHA;
- e) Serving as the focal point in all matters of the AfHA;
- f) Establish information centre and thereby guide the Member States and other stakeholders by being one of the main sources of data, statistics and information on forced displacement and humanitarian issues in the continent;
- g) Undertaking research and studies in all the relevant areas of competence of the AfHA;
- h) Promoting activities undertaken by the AfHA and disseminate the findings of the studies to Member States and other Stakeholders.

**Article 24**  
**Functions of the Head of the AfHA**

3. The Head shall:

- a) be responsible for the overall management of the AfHA;
- b) Implement directives from the Board and the Commission as may be applicable;
- c) Prepare the program, financial and operational report of the AfHA;
- d) Draft and submit AfHA's budget, report on activities, rules of procedure and Plan of Action of the AfHA to the Board and the Commission for approval;
- e) Attend meetings of the Board and the Council and act as Secretary to the Board and Council;

- f) **Collect and disseminate findings on the forced displacement patterns and trends related research;**
- g) Ensure the production and publication of the periodical bulletin of the AfHA;
- h) Perform any other functions as may be assigned in line with the objectives of the AfHA.

### **SECTION THREE**

#### **OPERATIONS OF THE AfHA**

##### **Article 25 Independence of the AfHA**

1. The AfHA shall operate independently without any political or external influence and shall have an unimpeded access to situations of humanitarian need in close collaboration with Member States, in accordance with applicable international Law and principles.
2. The intervention of the AfHA in a humanitarian situation shall be triggered in accordance with the Constitutive Act and the laid down guidelines in the Humanitarian Policy Framework and its three Annexes.

##### **Article 26 Transitional Provisions**

1. The AfHA will initially be hosted at the African Union Commission Headquarters, until the Assembly takes a decision to host the Agency in a member State.
2. The Chairperson of the Commission shall take necessary measures to establish an interim structure subject to the endorsement of the relevant PRC Subcommittee and appoint the required staff in order to facilitate the speedy establishment of the AfHA in accordance with the present Statute.

##### **Article 27 Role of the AU Commission**

1. The **relevant AUC** Department as the policy Department on the subject matter shall ensure synergy between the AfHA and the Commission.
2. The Humanitarian Affairs, Refugees and Displaced Persons Division of the Department of Political Affairs of the AUC will continue to play advisory role on policy and strategic issues at the AUC.

## **Article28**

### **AfHA Regional Centers**

1. Regional Centres shall support the AfHA **in the execution of its mandate**. The collaboration and support of the Regional Centres is to ultimately bring into reality the principle of solidarity among AU Member States and an “AfHA without walls” that supports the continent at the point of need, rather than from a centralized, distant location.
2. The AfHA shall have representation in the five (5) **regions** of the Union/ eight (8) RECs to ensure that each region/REC is represented.
3. Each Regional Centre represents an existing entity that has met AfHA criteria in accordance with Article **29** for selection as a Regional Centre. The leadership of the RC shall be designated as an AfHA Regional Coordinator within the AfHA organizational structure.
4. Each Region shall be responsible for selecting their RC in accordance with the criteria laid down in Article **29**. The RC shall be a government owned institution.
5. The AHA shall establish clear procedures for cooperation and collaboration with the RCs.

## **Article 29**

### **Selection of Regional Centres**

1. Each **Region/RECs** of the Continent shall select one Regional Centre based on the following guiding principles and criteria:

#### **A) Guiding Principles:**

- a) Synergy between Regional Centre’s internal goals and AfHA aims;
- b) Strengthening solidarity, cooperation, coordination **and** harmonization between regions and Member States;
- c) Good governance and respected leadership;
- d) Sustainable funding and fiscal accountability;
- e) History of collaboration between Regions on humanitarian matters.

#### **B) Criteria:**

- a) Technical proficiency and clear evidence of expertise in humanitarian matters that are directly relevant to the strategic objectives of the AfHA;
- b) Clear synergy between the **RC’s** programme objectives and the AfHA strategic objectives, which results in greater collective impact and capacity building.
- c) Track record in mobilizing humanitarian responder;

- d) Surge and logistical capacity;
  - e) **Ability to** represent regional constituency;
  - f) Track record of expertise in region-specific humanitarian crises;
  - g) Willing and able to provide surge capacity to other countries if country capacity is lacking, particularly during humanitarian crises and natural disasters.
  - h) A Regional Centre shall either be:
    - i. An existing government institution, or
    - ii. An institution which provide substantive support to government humanitarian institutions.
2. The Governing Board shall at periodic intervals of not more than 5 years evaluate the performance of **RCs**. Pursuant to the evaluation, the Governing Board may replace a non-performing or underperforming **RCC** with a more suitable **RC**.

### **Article 30 Regional Depots**

The AfHA shall take appropriate measures to establish strategic stockpiles, including collaboration with existing mechanisms.

### **Article 31 Cooperation with Member States**

1. In carrying out its functions, the AfHA shall as its main priority focus on capacity building of Member State Institutions and Departments responsible for **humanitarian affairs**, to strengthen the role of **Member States** and their capability to predict, prevent and respond to humanitarian crises; with full respect of the principle of the primary responsibility of States in accordance with principles of International Law.
2. The AfHA shall develop partnerships with Ministries of Member States responsible for humanitarian affairs and agencies that deal with prediction, prevention and response to humanitarian and forced displacement matters, which shall serve as national contact points.
3. The AfHA may be requested by the Member States, the RECs, the Commission, other Organs of the Union, and international organizations to provide technical assistance in any field within its competence.

### **Article 32 Cooperation with Global Humanitarian System, UN Agencies, the Red Cross and Red Crescent Movement, Civil Society and Partners**

1. The AfHA through the Commission shall pursue closer collaboration within the existing global humanitarian system established by UN Resolution 46/182 and the UN Agencies and Institutions with human rights and humanitarian mandates, the Red Cross and Red Crescent Movement, national and international as well as the civil



society and AU Partners, with full respect of the principle of the primary responsibility of States in accordance with principles of International Law.

2. The AfHA shall establish clear procedures for cooperation with these Agencies in accordance with established procedures of the Commission and AU humanitarian Guidelines (to be developed).
3. The AfHA, UN Agencies and Partners shall develop clear guidelines and framework for collaboration to avoid overlap in their support to Member States to fulfil the objectives of effective humanitarian response in the continent, as well as in the implementation of the AfHA objectives and strategies.

### **Article 33**

#### **Partnerships and Cooperation with Other Stakeholders**

1. The AfHA shall maintain working ties with Development partners and stakeholders, particularly with the Regional Humanitarian Organizations, RECs, private sector, civil society organizations, and the non-African Humanitarian Agencies in pursuit of its strategic objectives.
2. The AfHA shall build two different types of partnerships that are not mutually exclusive as follows partners that AfHA must collaborate with during operations and during none-surge situations.
3. AfHA may support and respond to humanitarian call from other Agencies and other countries outside of Africa with approval from the Board.

### **Article 34**

#### **Privileges and Immunities of the AfHA**

1. The privileges and immunities of the AfHA shall be governed by a host agreement negotiated with Host Country and applicable international law.
2. The AfHA and its staff shall enjoy the privileges and immunities stipulated in the OAU General Convention on Immunities and Privileges and the Vienna Convention on Diplomatic Relations.

### **Article 35**

#### **Rules of Procedure**

1. The AfHA shall adopt its own Rules of Procedures.
2. The Rules of Procedure of the AfHA shall be approved by the Executive Council in conformity with AU rules and procedures.

**SECTION FOUR**  
**FINANCIAL ARRANGEMENTS**

**Article 36**  
**Budget and Contribution**

1. **The** budget of the AfHA shall be borne by the African Union and shall be within the Union Budget.
2. Other Sources of funding the AfHA may include:
  - a) Voluntary contributions from Member States;
  - b) Contributions from Development Partners of the Union and the Commission;
  - c) Contributions from the Private Sector
  - d) Any other source of funding in accordance with AU **Financial Rules and Regulations**.
3. The budget calendar of the AfHA shall be in line with that of the Union.
4. The AfHA shall prepare and submit its budget to the relevant policy organ of the African Union for approval.

**SECTION FIVE**  
**FINAL PROVISIONS**

**Article 37**  
**Working Languages**

The working languages of the AfHA shall be those of the African Union.

**Article 38**  
**Amendment**

1. The present Statute may be amended **upon recommendations of**:
  - a) the Executive Council;
  - b) the STC; or.
  - c) Board or the AUC.
2. Any amendment to the statute shall enter into force upon its adoption by the Assembly.

**Article 39**

**Authentic Text**

This Statute is drawn up in four (4) original text in Arabic, English, French and Portuguese, all four texts being equally authentic.

**Article 40**

**Entry into Force**

The present Statute shall enter into force upon its adoption by the Assembly.

**Adopted by the .... Ordinary Session of the Assembly held in**

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-----in-----2020.