

**DRAFT STATUTE OF
THE AFRICAN UNION HUMANITARIAN AGENCY
(AUHA)**

**NOVEMBER 16 2020
ADDIS ABABA, ETHIOPIA**

REV1

16November 2020

**STATUTE OF THE AFRICAN UNION HUMANITARIAN
AGENCY**

(AUHA)

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 emphasizes 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 Union Humanitarian Agency (AUHA), to streamline the coordination of humanitarian action and response in the continent with Member States.

HAS AGREED AS FOLLOWS:

SECTION ONE

GENERAL PROVISIONS

Article 1

Definitions

In this Statute, unless stated otherwise:

“ **AUHA**” 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 AUHA

“**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 AUHA;

“**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;

“**Executive Secretary**” , means Head of the Agency

“**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 **of AUHA**

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

“Secretariat” means the management body of the AUHA;

“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 AUHA;

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

Article 2

Establishment and Status of the African Union Humanitarian Agency

1. The AUHA is hereby established as a Specialized Technical Institution of the Commission charged with the responsibility to coordinate humanitarian responses with Member States.

Article 3

Legal Capacity

1. The AUHA derives its juridical personality from and through the African Union and rules and regulations, 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 AUHA shall be to:

- a) Provide assistance and ensure effective coordination of humanitarian action in the continent, while taking into account early warning, response, adaption and build resilience.
- b) Build and strengthen the capabilities and capacities of AU Member States and Regional Bodies and Mechanisms in responding to and in managing, alleviating and contributing towards resolving humanitarian crises.

Article 5 Objectives

1. In carrying out its functions the AUHA shall pursue the following objectives:

- a) To prevent humanitarian crises through early warning for early response to situations that can result into humanitarian crises;
- b) To enhance capacity of Member States and RECs to address root causes and durable solutions;
- 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 mandate, the AUHA 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 as a primary Agency in the continent and key partner with the international humanitarian community on humanitarian issues on the continent.;
- c) support to Member States in pre-empting, prevention, intervention and adapting to humanitarian and disaster situations;
- d) provide humanitarian assistance to Member States and persons affected by humanitarian crises and disasters in the continent;
- e) 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;
- f) provide strong coordination mechanism on humanitarian issues by developing partnerships and coordinating relations with Member States; 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; local communities; affected populations and international partners; African Migration Observatory; the United Nations System and Africa Risk Capacity among others;

- g) 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 Member States, RECs, and its civil protection organizations, including Red Cross and Red Crescent Movements and to local level first responders as well as African civil society organisations;
- h) link with Member States, RECs, Regional Mechanisms, 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 AUHA as well as with other humanitarian actors as necessary;
- i) act in collaboration with Member States, RECs, RMs and to elevate the visibility of the AU as it alleviates sufferings of persons affected by humanitarian crises;
- j) Contribute towards achievement of aspirations of Agenda 2063 for a stable and prosperous continent through addressing root causes and durable solutions to forced displacement.

Article 7 Guiding Principles

1. The guiding principles of the AUHA shall be:

- a) **Leadership**: The AUHA shall provide strategic direction in coordinating humanitarian responses in the continent.
- b) **Humanity**: The AUHA 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 AUHA 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 AUHA 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 AUHA 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) **Compliance to Humanitarian Principles and Standards for Accountability:** Transparency and accountability shall apply to all humanitarian actions; **(conformity)**
- 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:** AUHA 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) All activities must take into account the dimension relevant to women and vulnerable groups especially, children, youth, the elderly and people with special needs.
- l) **All Rules and Regulations of Member States** AUHA shall respect the rules and regulations of Member States in all the activities that are carried out by the Agency and at all the stages of its operations.
- m)

Article 8

Seat of the AUHA

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

SECTION TWO

GOVERNANCE AND MANAGEMENT OF THE AUHA

Article 9 Structure of the AUHA

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

Article 10 The Governing Board (Board)

1. The Board shall be the deliberative organ of the AUHA.
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
1. The Board shall be answerable to the STC on Migration, Refugees and Internally Displaced Persons.

Article 11 Composition of the Board

1. The Board, shall be composed as follows:
 - a) Ten (10) Ministers Responsible for Humanitarian Affairs and Disaster Risk Reduction representing the five Regions of the African Union, two per region nominated by their Region.
 - b) **Three (3) Commissioners of the AU Commission [(Political Affairs, Peace and Security) and Social Development, Health and Humanitarian Affairs), Economic Affairs and Industry as non – voting ex-official. (The AUHA will have mandate of coordinating meetings with commissioner).**
 - c) Four (4) Representatives of Eight RECs recognized by AU on rotational basis.
 - d) 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 on rotational basis, through endorsement of STC.
 - e) One (1) Representatives of UN Agencies with mandates on Human Rights and Humanitarian Issues on rotational basis on rotational basis, through endorsement of STC.
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 AUHA shall serve as the Secretary of the Board, non – voting ex-officio.
4. The Board shall be assisted by Experts in its work as may be deemed necessary.

Article 12

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 as decided by the STC;
4. The term of office of the 10 representatives of Member States of the Board shall be guided by the principle of rotation based on equitable regional representation.
5. 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;
6. The Board members representing Member States 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 representatives of Member States, considering the African Union's principle of regional rotation;

Article 13

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 AUHA 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 AUHA;
- h. Board members representing Member States shall examine and approve the AUHA Action plans, budgets, activities and reports, and recommend the same for approval by the AU decision-making Organs.

Article 14

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.
- 3.

Article 15

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 AUHA.

Article 16

Composition of the Committee

1. The committee shall be composed on rotational basis 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) Eight Representatives of RECs;
- d) Two (5) Representatives of African Human Rights and Humanitarian Affairs Networks on rotational basis;
- e) Two (3) Representatives of the AU Organs, Specialized and Technical Offices and Institutions;
- f) One (1) Representative each from UN Organizations and the Red Cross and Red Crescent Societies on rotational basis.

2. The Head of AUHA shall serve as the Secretary of the Committee.

3. The Committee may invite such expertise from relevant stakeholders as deemed necessary.

Article 17

Term of Office of the Committee

- 1. Committee shall set its own rules of procedure and governance.
- 2. Members of the Committee shall serve for a non-renewable term of three (3) years where applicable;
- 3. 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 18

Functions of the Committee

1. The Committee shall advise the AUHA on:

- a) Emerging threats 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 AUHA;
- 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;
- h) Measures for effective and rapid response.

Article 19
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 20 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 AUHA.
2. The Secretariat shall be headed by Executive Secretary of the Agency and shall report to the Commission through the Department of Social Development , Health and Humanitarian Affairs.
3. The Executive Secretary of AUHA shall be the Chief Executive Officer of the AUHA.
4. The Executive Secretary of AUHA 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 recruitment of secretariat staff shall be conducted in conformity with relevant AU rules and procedures
7. The AU rules, procedures, regulations and directives shall apply in the operation of the AUHA;
8. Specific rules, procedures and SOPS shall be developed to facilitate timely and speedy response to humanitarian crises.

Article 21
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 Humanitarians Organizations, RECs, private sector organizations, Regional Humanitarian and Human Rights Networks, Partners Humanitarian Agencies and other relevant Stakeholders to attain the objectives of the AUHA;
 - e) Serving as the focal point in all matters of the AUHA;
 - f) Undertaking research and studies in all the relevant areas of competence of the AUHA;
 - g) Promoting activities undertaken by the AUHA and disseminate the findings of the studies to Member States and other Stakeholders.

Article 22

Functions of the Executive Secretary

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

- 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 AUHA;
- h) Perform any other functions as may be assigned in line with the objectives of the AUHA.

Article 23

Meetings of AUHA

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

SECTION THREE

OPERATIONS OF THE AUHA

Article 24

Independence of the AUHA

1. The AUHA 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 upon their request, in accordance with international Law and Principles.
2. The intervention of the AUHA 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 25

Transitional Provisions

1. The AUHA 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 organs and appoint the required staff in order to facilitate the speedy establishment of the AUHA in accordance with the present Statute.

Article 26

Role of the AU Commission

1. The Department of Social Development, Health and Humanitarian Affairs as the policy department responsible for humanitarian issues shall continue play advisory role on policy and strategies issues and ensure synergy between the AUHA and the Commission

Article 27 AUHA Regional Centres

1. Regional Centres shall support the AUHA 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 “AUHA without walls” that supports the continent at the point of need, rather than from a centralized, distant location.
2. The AUHA shall have representation in the five (5) regions of the Union to ensure that each region is represented.
3. Each Regional Centre represents an existing entity that has met AUHA criteria in accordance with Article 29 for selection as a Regional Centre. The leadership of the RC shall be designated as an AUHA Regional Coordinator within the AUHA 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 28 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 AUHA 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 AUHA;
 - b) Clear synergy between the RC's programme objectives and the AUHA 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 29
Regional Depots

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

Article 30
Cooperation with Member States

1. In carrying out its functions, the AUHA 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 AUHA shall develop partnerships with Ministries of Member States responsible for humanitarian affairs and agencies that deal with early warning, prevention and response to humanitarian and forced displacement matters, which shall serve as national contact points.
3. The AUHA may be requested by the Member States, the RECs, the Commission, other Organs of the Union, and international organizations to provide relief and technical assistance in any field within its competence.

4. Member States shall assist the AUHA in carrying out its obligations expeditiously and efficiently as stipulated in this Statute, and in particular Member States shall use the best efforts to assist AUHA to;
 - a) establish supply bases and obtain necessary communication facilities, equipment and supplies.
 - b) establish supply bases and obtain necessary communication facilities, equipment and supplies.
 - c) obtain entry visas and work permits for such member or employee of AUHA engaged in Humanitarian issues who will be resident in any Member State and make arrangements for their travel, medical services and other necessary amenities.
 - d) obtain the necessary permits to transport samples or other forms of data to foreign countries for the purpose of analysis or processing if such is deemed necessary for the purposes of Humanitarian operations.

Article 31

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

1. The AUHA 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 AUHA shall establish clear procedures for cooperation with these Agencies in accordance with established procedures of the Commission and AU humanitarian guidelines in support to Member States.

Article 32

Partnerships and Cooperation with Other Stakeholders

1. The AUHA 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 AUHA shall build two different types of partnerships that are not mutually exclusive as follows partners that AUHA must collaborate with during operations and during none-surge situations.
3. AUHA may support and respond to humanitarian call from other Agencies and other countries outside of Africa with approval from the Board.
4. for effective and accountable humanitarian response.

Article 33
Privileges and Immunities of the AUHA

1. The privileges and immunities of the AUHA shall be governed by a host agreement negotiated with Host Country and applicable international law.
2. The AUHA 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 34
Rules of Procedure

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

SECTION FOUR
FINANCIAL ARRANGEMENTS

Article 35
Budget and Contribution

1. The budget of the AUHA shall be borne by the African Union and shall be within the Union Budget.
2. Other Sources of funding the AUHA 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 AUHA shall be in line with that of the Union.

4. The AUHA shall prepare and submit its budget to the relevant policy organ of the African Union for approval.
5. The new structure of AUHA will be financed within existing resources and at no additional cost to Member States.

SECTION FIVE

FINAL PROVISIONS

Article 36

Working Languages

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

Article 37

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 38

Authentic Text

This Statute is drawn up in five (5) original text in Arabic, English, French, Spanish and Portuguese, all four texts being equally authentic.

Article 39

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

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

