

**TERMS OF REFERENCE OF THE
HIGH LEVEL COMMITTEE (HLC) TO INVESTIGATE ALLEGATIONS OF
HARASSMENT AGAINST WOMEN AT THE AU COMMISSION.**

I. AUTHORITY

The High- Level Committee was established by an Inter-office memorandum No BC/L/1228/05 of 24 May 2018 of the Chairperson of the AU Commission in response to allegations of harassment against women at the AU Commission.

II. COMPOSITION OF THE COMMITTEE

The Committee is comprised of:

1. Madam Bineta Diop, Special Envoy for Women, Peace and Security – Chairperson
2. Hon. Lady Justice Tujilane Rose Chizumila, Judge, African Court of Human and Peoples’ Rights (AfCHPR), Arusha.- Member
3. Hon. Lucy Asuagbor, Member of the African Commission of Human and Peoples’ Right (ACHPR), Banjul and Special Rapporteur on the Rights of women in Africa.- Member

III. MANDATE OF THE HIGH-LEVEL COMMITTEE

The Interoffice Memorandum mandates the Committee to:

- (1) Investigate allegations of harassment against women at the AU Commission including recruitment malpractices.
- (2) Ascertain the factuality of the allegations of sexual harassment and “professional apartheid against women” including recruitment malpractices and how they may have affected female candidates.
- (3) Consult widely and interview any staff of the Commission including their representatives in the AU Staff Association as deemed appropriate in a manner that protects their confidentiality.

- (4) Propose remedial actions and other appropriate actions based on the Committee's findings.
- (5) Make any other recommendations relevant to the mandate as mentioned above, including how gender parity can be more effectively pursued within the AU Commission, taking into account and building on, on-going Commission – led initiatives and actions towards implementing Project Parity 2025.
- (6) Draft its own Terms of Reference in line with AU Rules and Regulations.
- (7) Submit a report on its findings and recommendations to the Chairperson within 21 days.

IV. AREAS DEFINED BY THE HLC FOR INVESTIGATION

Mindful of other allegations contained in a letter dated 25th January 2018 and signed by 37 anonymous women of the AU, the Committee interprets its mandate to include the investigation of the following allegations contained therein:

1. Patterns of corruption , manipulation, malpractices in recruitment, short-listing and interviews in administration and human resources of the Commission
2. Impunity
3. Bribery
4. Breach of moral values
5. Use of double standards
6. Violation of AU Rules and all sorts of illegalities
7. Working more with foreigners
8. Lack of redress
9. Frustration among members of staff.

The HLC will also consider any other aspects relating to harassment against women at the AU Commission.

V. APPLICABLE LAWS, RULES , REGULATIONS AND POLICIES

- AU Constitutive Act
- African Union Staff Regulations and Rules
- African Union Code of Ethics and Conduct
- Financial Rules and Regulations of the African Union
- Decision of the Assembly on institutional reform on gender parity by 2025
- Standard Operating Procedure for the Conduct of Investigations (The SOP)
- Any other relevant document

VI. ADMINISTRATIVE, TECHNICAL AND LOGISTICAL SUPPORT TO THE COMMITTEE

In the fulfilment of its mandate, the Committee shall be supported by a Task Team on administrative, technical and logistical aspects which is composed as follows:

1. Bureau of the Chairperson Representative- Amb. Jean Mfasoni, Special Advisor;
2. Bureau of the Deputy Chairperson Representative- Mr Niamke E. Benjamin Malan , Principal Policy Officer;
3. Office of the Legal Counsel Representative- Mr Adewale Iyanda, Senior Legal Officer;
4. Women & Gender Development Department Representative-Mr Nouabatour Adoumtar, Senior Policy Officer;
5. Office of internal Audit Representative- Mr Kingsley Belle, Senior Investigation Officer;
6. Administration and Human Resource Management Representatives –
 - i) Ms. Fatma Yusuf from Learning and Development ;
 - ii) Ms. Bethlehem Wogayehu from HR Operations;
 - iii) Ms. Aude Ayo from Recruitment;
 - iv) Ms. Loula Ahmat from recruitment;
7. Chief of Ethics Officer- Mr. Alimamy Sesay

8. A Senior Bilingual Secretary who shall assist the HLC in its proceedings and preparations of reports and other secretarial duties.

The Task Team shall draft its own Terms of Reference in line with AU Rules and Regulations which shall be approved by the HLC.

VII. METHODOLOGY OF THE HLC

- i) The HLC shall conduct its investigations independently;
- ii) The HLC shall conduct a desk review of all relevant documents and policies.
- iii) The HLC shall collect and document statements from complainants, members of Staff, Representatives of Staff Association and any other stakeholder male and female capable of elucidating the Committee.
- iv) The HLC shall seek cooperation from Relevant Departments and Units.
- v) Where necessary, the Committee will seek external expertise.
- vi) The Committee shall put in place all necessary measures to guarantee confidentiality and protection of those who engage with the Committee from reprisals.

VIII. GUIDING PRINCIPLE

In fulfilling its mandate, the Committee and its Task Team shall be guided by the principles of independence, impartiality, objectivity, transparency, integrity, mutual respect and gender equality. It will also maintain fairness throughout the investigative process.

IX. PRESENTATION OF THE REPORT OF THE HLC

- i) The Committee shall present its report within 21days.
- ii) The report will include its findings, propose remedial actions and other appropriate actions and make recommendations on how gender parity can be more effectively pursued within the Commission taking account of and building on, the on-going Commission-led initiatives and actions towards implementing Project Parity 2025.

X. CALL FOR INTERVIEWS AND SUBMISSIONS

- i) The Committee invites any interested Staff of the Commission to submit any information and/or documentation relevant to its mandate as outlined above in particular on the allegations contained in the interoffice Memorandum and the anonymous letter. This will be done through interviews.
- ii) The Committee accepts submissions in English and French.
- iii) For further information, kindly reach the Committee at the following contacts:
 - Telephone: 251-115-517700X2001
 - Email: HLC2018@africa-union.org.