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EXECUTIVE COUNCIL
Twelfth Ordinary Session
25 – 29 January 2008
Addis Ababa, ETHIOPIA

EX.CL/403 (XII) – a /Rev.1

REPORT OF THE MINISTERIAL PANEL FOR THE CENTRAL
PRE-SELECTION PROCESS OF COMMISSIONERS

**REPORT OF THE MINISTERIAL PANEL FOR THE CENTRAL PRE-SELECTION
PROCESS OF COMMISSIONERS**

I. INTRODUCTION

1. In conformity with Article 14 (2) and (3) of the Statutes of the Commission, the Ministerial Panel for the Central Pre-selection Process of Commissioners met on 28 November 2007 and 10 January 2008 at the Headquarters of the African Union, in Addis Ababa, Ethiopia

II. ATTENDANCE

2. All States Members of the Ministerial Panel were represented at both meetings, as follows:

- | | |
|-------------|------------------|
| 1. Angola | 6. Gabon |
| 2. Benin | 7. Ghana |
| 3. Congo | 8. Kenya |
| 4. Djibouti | 9. Libya |
| 5. Egypt | 10. South Africa |

III. PROCEEDINGS

Meeting of 28 November 2007

3. In the first meeting of the Ministerial Panel held on 28 November 2007, at the AU Headquarters, the main agenda item was to appoint the Independent Team of Consultants that would assist the Panel in the process of short-listing candidates for Commissioners. This action was being taken pursuant to decision Assembly/AU/Dec.168 (IX), adopted in Accra, Ghana in July 2007, which provided that elections be postponed to January 2008 and that the deadline for submission of candidatures be extended to 30 October 2007. Following a request by the Commission for nominations to the independent Team of consultants that would help the Ministerial Panel in the pre-selection and selection of the Commissioners, only six (6) candidatures were received from Member States as follows: two (2) male from the Central Region, one (1) male from East, one (1) male from the North, two (2) male from West and none for Southern Region. In the circumstances, the Panel decided that it would accept the six (6) nominations received from Member States and appoint the additional four (4) members from the database of the Commission as authorized by Decision EX.CL/Dec. 346 (X) adopted by Council in January 2007 in Addis Ababa, Ethiopia

4. The Ministerial Panel, taking the above factors into consideration, appointed the following team of consultants:

1. Amb. Smail CHERGUI	(Algeria)	Chairperson
2. Mr. William Fidele EBONDZA	(Congo Brazzaville)	Member
3. Dr. Alex GLOVER-QUARTEY	(Ghana)	Member
4. Dr. Paul Nyaga MBATIA	(Kenya)	Member
5. Dr. Gaoussou DIARRAH	(Mali)	Member
6. Ms. Vijaya Lakshmi SAHA	(Mauritius)	Member
7. Dr. Abdelmajid BENKHALIFA	(Tunisia)	Member
8. Dr. Nalishebo Nakafulo MEEBELO	(Zambia)	Rapporteur
9. Ms. Helen Bawange DINGANI	(Zimbabwe)	Member
10. Mr. Eugène Nindorera	(Burundi)	Member

5. The Ministerial Panel decided that the Team of Consultants should finalize its work before 25 December 2007 and submit its report to the Panel which would convene its second session at a venue and date to be determined through consultations and requested the Commission to take all the necessary measures in this regard.

Meeting of 10 January 2008

6. The Panel met in its Second Session on 10 January 2008 to consider the report from the Independent Team of Consultants constituted to assist it, and to submit a shortlist of candidates taking into account the agreed criteria for selection.

7. In his preliminary remarks to the Panel, the AU Legal Counsel, Mr Ben Kioko, informed the Session that the Chairperson of the Ministerial Panel, H.E. Mr. Akwasi Osei-Adjei, the Minister of Foreign Affairs for Ghana, had to leave to join his President, President J. A. Kufuor, Chairperson of the African Union, on another urgent assignment in Nairobi, Kenya. The Legal Counsel further explained that following this development, he had requested the Dean of the African Diplomatic Corps in Addis Ababa, Ethiopia, H.E. Ambassador Ali A. Awidon, Permanent Representative of the Great Libyan Arab Jamahiriya to undertake consultations among the members of the Panel to nominate, from among the other ministers, the Chairperson of the second session. He further indicated that he had been informed that the results of the consultations indicated that the Deputy Minister of Foreign Affairs for the Republic of South Africa, H.E. Mr. Aziz Pahad, would chair the meeting. This proposal was endorsed by the meeting, and Minister Pahad took over the Chairmanship of the meeting.

8. The Chairperson then invited the Legal Counsel to brief the Panel on the procedures to be followed in the process of short-listing.

9. The Legal Counsel, on behalf of the Commission, welcomed the members of the Panel to the AU Headquarters. He stated that he wished to make a statement on behalf of the Commission. The Legal Counsel stated that the Commission was concerned that at both the First and Second Session (s) of the Ministerial Panel, the attendance of Ministers had continued to be very low in spite of the fact that this was a Committee operating at the Ministerial level and which would take decisions and not just make recommendations to the Executive Council, unlike other committees. The Commission

was further of the view even though technically the quorum of two-thirds of Member States' Representatives had been met, given the importance of the exercise being undertaken, and the low turn out of Ministers, (two ministers), the Panel could consider postponing the Session and hold it just before the next Ordinary Session of the Executive Council. He pointed out that the concern of the Commission was not the legality of the exercise taking into account that in conformity with the Rules and Regulations, a quorum had been achieved, but rather the legitimacy of the decisions of the Panel.

10. In the ensuing debate, the delegations resolved that since the Session had a quorum in terms of number of Member States' Representatives, who were duly appointed to represent their Ministers or were otherwise representatives of their Heads of State and Government, it would be improper to start checking on the level of the representatives. Further, the practice for similar Ministerial Committees supported this assertion. The Panel,, therefore, decided that the meeting could not adjourn on those grounds. The meeting then went on with its work.

IV. ORGANISATION OF WORK

11. The Panel adopted the following working hours:

09.00 hrs to 13.00 hrs

V. AGENDA

12. The Panel considered and adopted the following agenda:

- Presentation of the Report of the Team of Consultants;
- Consideration of the Recommendations of the Team of Consultants and the nature of submissions to the Executive Council.
- Any Other Business.

VI. PRESENTATION OF THE REPORT OF THE TEAM OF CONSULTANTS TO ASSIST THE MINISTERIAL PANEL IN THE PRE-SELECTION PROCESS OF COMMISSIONERS

13. In presenting the Report, the Chairperson of the team of Consultants, Ambassador Smail Chergui, informed the Panel that the Consultants met from 17 to 21 December 2007, in Addis Ababa, Ethiopia. The mandate of the Team of Consultants was in conformity with Article 14(2) of the Statutes of the Commission which states that, 'the Panel shall be made up of Ministers assisted by a team of independent consultants'; and Article 14(3) 'the Panel shall submit, for election by the Executive Council, a list of at least two (2) candidates for each portfolio'. As per its terms of reference, the Team of Consultants analysed and evaluated fifty-two (52) curriculum vitae of prospective candidates submitted by Member States from their respective

Regions. The outcome of the analytical work included recommendations and ranking of candidates for consideration by the Ministerial Panel.

14. Ambassador Chergui stated that two (2) Members of the Team of Consultants did not fully participate in the process because one member arrived late and the other was unavailable. He further informed the Panel that in order to ensure integrity, members of the Team, Ambassador Chergui (Algeria) and Dr. Paul Nyaga Mbatia (Kenya), recused themselves from the evaluation exercise for portfolios in which their nationals were candidates.

15. Ambassador Chergui then drew attention of the Panel to the challenges and constraints faced by the Task Force in carrying out its mandate. These included the following:

1. The CVs varied in length (from 2 to 24 pages) even though the modalities prescribed 3 pages single spaced, in content and, structure, which made it difficult to maintain consistency during the analytical and evaluation process;
2. The absence of interviews with prospective candidates made it difficult for the team to verify some assertions made in the CVs and also to obtain other relevant details;
3. The translation of academic qualifications from one language to another may not have been accurate in capturing the equivalence
4. Diversity in international educational systems made it difficult to make objective comparison;
5. Some candidates were presented by their regions for two portfolios and were evaluated in both;
6. The Western Region provided three (3) candidates for one portfolio (Political Affairs);
7. Only the Central Region complied with the rules regarding the mode of submission for candidatures;
8. Some CVs were not clear on educational qualifications, year of accreditation or, the institution attended;
9. The requirement to adhere to regional and gender consideration was difficult to implement, while attempting to select the most qualified candidate for the position.

VII. PROPOSALS TO ADDRESS THE CHALLENGES AND LIMITATIONS IDENTIFIED IN THE PROCESS

16. The Chairperson of the Team of Consultants stated that in order to address the gaps in the process of pre-selection, the team made the following recommendations for use in future - short-listing exercises:

- The Commission should consider designing a standardised format for curriculum vitae from the candidates;

- The Commission should ensure verification of educational qualifications prior to the appointment of the Commissioners;
- The Panel of Ministers may wish to establish an evaluation of the performance of the incumbent Commissioners who have applied for re-consideration for a further term of office;
- To improve the selection process, the Panel of Ministers may consider conducting interviews for short-listed candidates.

VIII. CONSIDERATION OF THE RECOMMENDATIONS OF THE TEAM OF CONSULTANTS AND THE NATURE OF THE SUBMISSIONS TO THE EXECUTIVE COUNCIL

17. The Chair Person of the Team informed the Panel that during the pre-selection of candidatures, the Consultants took into consideration, *inter alia*, the process followed in 2003, but further added a new dimension where they considered the attributes of 'relevance of qualifications and experience', 'continued professional development' and, 'outstanding achievements' as being significant criteria. He further stated that the Team had short-listed the top four (4) candidates for each portfolio.

18. The Legal Counsel then informed the Panel that two (2) candidatures from Burkina Faso (Mr. Leandre Bazemboue BASSOLE – Political Affairs) and Botswana (Mrs. Barulaganye MACHACHA – Political Affairs) had since been withdrawn by their governments and regions. The Chairperson of the Meeting then invited comments on the Report.

IX. DELIBERATIONS ON THE RECOMMENDATIONS

19. The Panel of Ministers expresses appreciation for the excellent and comprehensive work undertaken by the Team of Consultants, and recognised the challenges and limitations contained therein.

20. In the ensuing deliberations the Panel raised the following issues:

- There had been a total disregard, by most Regions, of the Modalities for presentation of candidates adopted by the Council;
- Only the Central Region had complied with the rule to nominate one (1) male and one (1) female for each portfolio. The rest of the regions did not meet the requirements;
- The Team of Consultants had not made any recommendations on which portfolio should be reserved for females, and which ones should be reserved for male Commissioners;
- The Panel noted that fewer female candidates than male candidates had been submitted by the various regions;
- Some candidates had been allocated lower marks despite meeting the requisite academic qualifications on the face of the record;

- Candidates who submitted their candidatures for more than one portfolio might have deprived other equally suitable candidates;
- Whereas the Consultants had come up with an added criterion for assessment of outstanding achievements, out of fifty-two (52) candidates, only two (2) had been awarded scores in this criteria and only in the scientific field;
- The translation of CVs from one language to another might have distorted the contents;
- The insufficient number of candidatures submitted by the Regions might make the election of Commissioners a difficult process especially when seeking to apply the criteria of gender and region;
- The absence of face to face interviews may deprive the Panel of an opportunity to make a more informed decision on whom to shortlist;
- Some candidates may have been wrongly assessed in view of ambiguity of job content when applied to the pre-determined criteria.

X. OBSERVATIONS BY THE PANEL TO THE ISSUES RAISED

21. At the end of the ensuing debate, the Panel resolved as follows:

- Interviews for shortlisted candidates should be carried out if resources and time permit;
- The non-compliance with the modalities for presentation of candidates was a matter for the Regions and Member States, given that the Commission had repeatedly requested Member States to comply with the rules;
- The decision on which portfolio to allocate to male or female candidates was not for the Team of Consultants to make, but a decision of the Ministerial Panel, and it was resolved to do so at the time of elections;
- Though there was no express rule preventing a Region from presenting a candidate for more than one portfolio; it was implied by the rules and supported by the practice;
- Errors identified, if any, in the allocation and awarding of marks should be rectified where appropriate*;
- The problem of the insufficient number of candidates could be resolved after the election of the Chair and Deputy Chairperson as well as elections for some of the portfolios for Commissioners, such that if posts remain unfilled, they can be filled in later;
- Candidates who had been short listed for more than one portfolio should be considered only for the position where they had performed best, and thus release the position in the other portfolio to other candidates. In this regard, the Panel directed the Team of Consultants to amend its report accordingly viz:- Mrs Soukeyna Ndiaye Ba, who was ranked 4th in the Trade and Industry portfolio, was to be considered for Social Affairs only, where she

* **Djibouti entered a reservation on the evaluation of the academic qualifications of their candidate for the post of Commissioner for Political Affairs**

was ranked first (1st); and Mrs Celestine Zanou, who was ranked fourth (4th) in Economic Affairs would now only be considered under Rural Economy and Agriculture, where she was ranked third (3rd);¹

- The attention of the Panel was drawn to the fact that the shortlist prepared by the Consultants showed that there was equitable distribution of candidates by gender. Any further matters regarding gender balancing could be dealt with at the time of the election;
- For future elections, the rules and modalities governing submission of candidates should be rigorously applied.

XI. CONCLUSIONS

22. In concluding its deliberations, the Panel of Ministers requested the members of the Panel that had raised issues on the ranking of some candidates to submit supporting documents to the Team of Consultants to enable them consider them any see if any adjustments were necessary in the ranking of candidates. The Ministerial Panel, taking into account that those considerations would not impact on the final list of the top four candidates in each portfolio, endorsed the Ranking of Candidates attached hereto (See Annex 1).

23. The Panel also requested the Commission to circulate the list of the top four candidates together with attendant Curriculum Vitae to all Member States.

ADOPTION OF REPORT

24. The Panel met again on 27 January 2008 and considered the additional issues considered by the Team of Consultants and endorsed the Team's recommendation to retain the ranking as originally done. After exchange of views, the Panel adopted its report with amendments, for submission to the Executive Council.

¹ The Delegation of Benin expressed a reservation on the decision not to short-list one candidate for two (2) portfolios.

**LIST OF THE TOP FOUR (4) CANDIDATES FOR THE POSITION OF
COMMISSIONERS AS SHORTLISTED BY THE MINISTERIAL PANEL ON THE
ELECTION OF COMMISSIONERS**

Peace and Security

1. Mr. Pierre-Juste Mounzika Ntsika (Congo)
2. Mr. John Kayode Shinkaiye (Nigeria)
3. Mr. Ramtane Lamamra (Algeria)
4. Mrs. Monica Kathina Juma (Kenya)
4. Mr. Boubacar Diallo (Guinea)

Political Affairs

1. Mr. Nagoum Yamassoum (Chad)
2. Mr. Sekhonyana N. Bereng (Lesotho)
3. Mrs. Julia Dolly Joiner (Gambia)
4. Mr. Mamadouba Falilou Bah (Guinea)

Infrastructure and Energy

1. Mr. Bernard Zoba (Congo)
2. Mrs. Elham Mahmood Ahmed Ibrahim (Egypt)
3. Mr. Fathi H. Ben Shatwan (Libya)
4. Mrs. Uphie F. Chinje Melo (Cameroon)

Social Affairs

1. Mrs. Soukeyna Ndiaye Ba (Senegal)
2. Mrs. Bience Philomina Gawanas (Namibia)
3. Mrs. Marie-Agnes Koumba (Gabon)
4. Mrs. Grace Kyomuhendo-Bantebya (Uganda)

Human Resources, Science and Technology

1. Mr. John Patrick Kabayo (Uganda)
1. Mr. Sospeter Muhongo (Tanzania)
3. Mr. Martial de Paul Ikounga (Congo)
4. Mrs. Nagia Mohammed Essayed (Libya)
4. Mr. Jean Pierre Onvehoun Ezin (Benin)

Trade and Industry

1. Mrs. Elizabeth Tankeu (Cameroon)
2. Mrs. Amina C. Mohamed (Kenya)
2. Mr. Alphonse Okoye (Congo)

Rural Economy and Agriculture

1. Mr. Ibrahim I. Rihan (Egypt)
2. Mrs. Phoebe M. Ditshipi (Botswana)
2. Mrs. Celestine Zanou (Benin)
3. Mr. Nkobi Mpho Moleele (Botswana)

Economic Affairs

1. Mr. M. Maxwell Mkwezalamba (Malawi)
2. Mr. Roger Tchoungui (Cameroon)
3. Mrs. Aziza Baroud (Chad)
4. Mrs. Mampiti F. Nchapi (Lesotho)

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EX.CL/403 (XII) -b

**REPORT ON THE ELECTION OF THE COMMISSIONERS
OF THE AFRICAN UNION**

**REPORT ON THE ELECTION OF THE COMMISSIONERS
OF THE AFRICAN UNION**

I. INTRODUCTION

1. The information contained in this paper is based on the provisions of the Rules of Procedure of the Assembly and of the Executive Council, the Statutes of the Commission as well as the Modalities for Election of the Members of the Commission adopted in Addis Ababa, in January 2007.

2. The Commission is composed of ten (10) members: the Chairperson, the Deputy Chairperson and eight (8) Commissioners.²

3. The term of office of the members of the Commission shall be four (4) years. The Members may be eligible to compete for re-election for another term of four (4) years³.

4. The region from which the Chairperson and the Deputy Chairperson are appointed shall be entitled to one (1) Commissioner each. All the other regions shall be entitled to two (2) Commissioners.⁴ Further, the Chairperson of the Commission and his/her Deputy shall not be from the same region⁵. The regional representation of the Members in the Commission is, therefore, as follows:

- Central: 2;
- East: 2;
- North: 2;
- South: 2; and
- West: 2.

5. At least one (1) Member of the Commission from each region shall be a woman.⁶

6. It will be recalled that the Commissioners of the Commission of the African Union were elected in Maputo, Mozambique, in July 2003 for a four-year term. In this regard, the Commission informed Member States that the election of the Commissioners would be conducted during the Ninth Ordinary Session of the Assembly scheduled for Accra, Ghana in July 2007. The deadline for submission of candidatures was set as at 30 March 2007. Upon expiry of the said deadline, the Commission informed Member States of the candidatures that had been received for the post of Commissioner.

² Article 2 of the Statutes of the Commission.

³ Article 10 of the Statutes of the Commission.

⁴ Articles 37 (1) and 6 (2) of the Rules of Procedure of the Executive Council and Statutes of the Commission respectively.

⁵ Article 38 (4) of the Rules of Procedure of the Assembly.

⁶ Article 6 (3) of the Statutes of the Commission.

7. It will be further recalled that the Assembly meeting in Accra, Ghana, in July 2007 decided to defer the election of the Members of the Commission to the forthcoming sessions of the policy organs scheduled for January 2008 in Addis Ababa, Ethiopia. The deadline for submission of candidatures was extended to 30 October 2007. The Commission, upon expiry of the deadline communicated the status of candidatures for the post of Chairperson, Deputy Chairperson and Commissioners to all Member States.

II. CRITERIA

8. In electing the members of the Commission, due consideration should be given to the following criteria:

- a) **Regional distribution:** The regions from which the Chairperson and the Deputy Chairperson are appointed shall be entitled to one (1) Commissioner each. All other regions shall be entitled to two (2) Commissioners.⁷ Furthermore, the Chairperson and the Deputy Chairperson shall not be from the same region. It should be noted that only nationals of Member States are eligible for appointment as Commissioners, provided that no two (2) Commissioners shall be nationals of the same Member State. Therefore, each of the five (5) regions is entitled to two (2) members in the Commission.
- b) **Gender equality:** At least one (1) member of the Commission from each region must be a woman.⁸ Therefore, the Commission will be composed of five (5) men and five (5) women.
- c) **Qualifications and Experience:** the Commissioners shall possess minimum educational qualification not below the first degree, or equivalent from a recognized university. They shall also be competent women or men with proven experience in the relevant field, commensurate leadership qualities and a good track record in government, parliament, international organizations or other relevant sectors of society.⁹
- d) **Age:** A minimum age criteria of thirty-five (35) shall apply.¹⁰

⁷ Articles 6 (2) and 15 (3) of the Statutes of the Commission. Rule 38 (4) and 39 (1) of the Rules of Procedure of the Assembly of the Union. Rule 37 (1) of the Rules of Procedure of the Executive Council.

⁸ Article 6 of the Statutes of the Commission.

⁹ Rules 38 (2) and 39 (2) of the Rules of Procedure of the Assembly of the Union. Rule 37(2) of the Rules of Procedure of the Executive Council, Articles 15 (1) and 15 (2) of the Statutes of the Commission. It should be noted that the female members of the Commission are not charged with the responsibility for mainstreaming gender in the African Union. The ultimate responsibility for promoting gender equality in the Union rests on the Chairperson of the Commission with the technical backstopping from the Office of the Gender and Equality Promotion under his Office.

¹⁰ Article 15 (3) of the Statutes of the Commission.

III. PORTFOLIOS¹¹

9. The portfolios, as set out in Article 12 of the Statutes of the Commission, on the basis of which Commissioners will be elected are as follows:

- a) PEACE AND SECURITY (Conflict Prevention, Management and Resolution, and Combating Terrorism...);
- b) POLITICAL AFFAIRS (Human Rights, Democracy, Good Governance, Electoral Institutions, Civil Society Organizations, Humanitarian Affairs, Refugees, Returnees and Internally Displaced Persons);
- c) INFRASTRUCTURE AND ENERGY (Energy, Transport, Communications, Infrastructure and Tourism...);
- d) SOCIAL AFFAIRS (Health, Children, Drug Control, Population, Migration, Labour and Employment, Sports and Culture...);
- e) HUMAN RESOURCES, SCIENCE AND TECHNOLOGY (Education, Information Technology Communication, Youth, Human Resources, Science and Technology...);
- f) TRADE AND INDUSTRY (Trade, Industry, Customs and Immigration Matters...);
- g) RURAL ECONOMY AND AGRICULTURE (Rural Economy, Agriculture and Food Security, Livestock, Environment, Water and Natural Resources and Desertification...);
- h) ECONOMIC AFFAIRS (Economic Integration, Monetary Affairs, Private Sector Development, Investment and Resource Mobilization...).

IV. MODALITIES FOR SELECTION OF CANDIDATES

- a) *The Ministerial Panel on Pre-Selection of Candidates for Posts of Commissioners and Team of independent consultants*

10. Article 14 of the Statutes of the Commission stipulates, inter alia, “A panel consisting of two (2) representatives from each region shall be established for the central selection exercise. Further, “the panel shall be made up of Ministers assisted by a team of independent consultants”. In conformity with Article 14 of the Statutes of the Commission and Decision EX.CL/Dec. 281 (IX) adopted by the Executive Council in Banjul, the Gambia in July 2006, a Ministerial Panel consisting of two (2) representatives from each region was established for the central selection exercise.

11. The Commission, vide its Note Verbale reference BC/OLC/217/2/Vol.IV dated 18 July 2006, requested Member States to undertake the necessary consultations

¹¹ Article 12 of the Statutes of the Commission.

with a view to submitting the names of the Members of the Ministerial Panel. Following regional consultations, the Panel was constituted with the following Member States: Central: Congo and Gabon, Eastern: Djibouti and Kenya, Northern: Egypt and Libya, Southern: Angola and South Africa and Western: Benin and Ghana.

12. The Ministerial Panel on the Pre-selection of Commissioners meeting, at its first session held at the AU Headquarters in Addis Ababa, Ethiopia, on 28 November 2007, decided to appoint the following as members of the Team of independent consultants to assist the Panel:

	Name	Country	Region	Gender
1.	Abdelmajid BENKHALIFA	Tunisia	North	Male
2.	Gaoussou DIARRAH	Mali	West	Male
3.	Helen Bawange DINGANI	Zimbabwe	South	Female
4.	William Fidele EBONDZA	Congo	Central	Male
5.	Alex GLOVER-QUARTEY	Ghana	West	Male
6.	Paul Nyaga MBATIA	Kenya	East	Male
7.	Nalishebo N. MEEBELO	Zambia	South	Female
8.	Mr. Eugene NINDORERA	Burundi	Central	Male
9.	Vijaya Lakshmi SAHA	Mauritius	East	Female
10.	Chergui SMAIL	Algeria	North	Male

b) Pre-selection and Selection of the Commissioners

13. In conformity with Article 13 of the Statutes of the Commission, the election process commenced with a pre-selection of candidates at the regional level.

14. Each region was required to elaborate its own modalities for short-listing and selection of Commissioners and nominate two (2) candidates including a woman for each portfolio.¹² For the eight (8) portfolios, each region was expected to nominate sixteen (16) candidates (eight (8) men and eight (8) women), making a grand total of eighty (80) candidates. However, it should be pointed out that at the end of the deadline for submission of candidatures, a total of fifty-three (53) candidatures were received and only the Central region had complied fully with the provisions of Article 13 of the Statutes. The candidatures from regions were as follows:

- ❖ Central: Sixteen (16): eight (8) male and eight (8) female
- ❖ Eastern: Seven (7): three (3) male and four (4) female
- ❖ Northern: Seven (7): four (4) male and three (3) female
- ❖ Southern: Eleven (11): five (5) male and six (6) female

¹² Articles 13 and 14 (3) of the Statutes of the Commission.

❖ **Western: Eleven (11): six (6) male and five (5) female**

15. The candidates so selected at the regional level were submitted to the Team of Consultants whose mandate was as follows:

- a) Analyse and evaluate the curriculum vitae of the eighty candidates for the Commissioners submitted by the five (5) AU regions for the central pre-selection process,
- b) Ensure and establish the equivalence of academic qualifications of the candidates,
- c) Evaluate and compare the educational background and the work experience with respect to the relevant portfolio for each candidate,
- d) Make an analytical and objective determination of the suitability of each candidate for the respective portfolios.

16. The Ministerial Panel on the Pre-selection of Commissioners met on 10th January 2008 at the Headquarters of the African Union in Addis Ababa to consider the report from the Independent Team of Consultants constituted to assist it and to shortlist the candidatures for the posts of Commissioners taking into account the agreed criteria for selection. The Ministerial Panel short-listed the top four candidates for each portfolio for submission to the Executive Council for election and subsequent appointment by the Assembly (See Annex I: List of the Top Four (4) Candidates for the position of commissioners as short-listed by the Ministerial Panel).

V. VOTING PROCEDURES

17. Rule 42 (1) of the Rules of Procedure of the Assembly provides that voting shall commence with the election of the Chairperson and the Deputy Chairperson; thereafter, the Assembly shall appoint Commissioners elected by the Executive Council.

18. The voting procedure is governed by Rule 38 of the Rules of Procedure of the Executive Council, which stipulate:

"1. In any election of the Commissioners, the balloting for each portfolio shall continue until one of the candidates obtains the two-thirds majority required. Provided that, if the third ballot remains inconclusive, the next ballot shall be restricted to the two (2) candidates who obtain the highest number of votes in the third ballot.

2. If after three (3) further ballots neither of the two (2) candidates obtains the majority required, the candidates with fewer votes shall withdraw.

3. Where there are only two candidates initially and neither candidate obtains the majority required after the third ballot, the candidate with fewer votes shall withdraw and the remaining candidate shall proceed to the next round.

4. If the remaining candidate fails to obtain the two-thirds majority required in that round, the Chairperson shall suspend the election.

5. Where there is only one (1) candidate initially and he or she fails to obtain the two-thirds majority required after the third ballot the Chairperson shall suspend the election.

6. This voting procedure shall be applicable to all elections conducted by the Executive Council in respect of other Organs of the Union.”

VI. ELECTION PROCESS

19. In conformity with Rule 42 of the Rules of Procedure of the Assembly of the Union, the voting shall commence with the election of the Chairperson of the Commission, followed by the election of the Deputy Chairperson; thereafter the Assembly shall endorse the Commissioners elected by the Executive Council.

20. The practical implementation of this approach would mean that the Assembly will elect the Chairperson and the Deputy Chairperson on the first day of its ordinary session in Addis Ababa, Ethiopia, in January 2008, and immediately thereafter, the Executive Council would meet elsewhere to elect the Commissioners and submit the names to the Assembly for appointment.

21. This approach would also mean that the Assembly of the Union would continue with consideration of its agenda items in the Plenary, whilst Council will be meeting in another room conducting the elections of Commissioners. The names of the candidates elected by the Executive Council shall be submitted to the Assembly for appointment.

LIST OF THE TOP FOUR (4) CANDIDATES FOR THE POSITION OF COMMISSIONERS
AS SHORTLISTED BY THE MINISTERIAL PANEL ON THE ELECTION OF
COMMISSIONERS

Peace and Security

- | | |
|-------------------------------------|-----------|
| 5. Mr. Pierre-Juste Mounzika Ntsika | (Congo) |
| 6. Mr. John Kayode Shinkaiye | (Nigeria) |
| 7. Mr. Ramtane Lamamra | (Algeria) |
| 8. Mrs. Monica Kathina Juma | (Kenya) |
| 4. Mr. Boubacar Diallo | (Guinea) |

Political Affairs

- | | |
|------------------------------|-----------|
| 5. Mr. Nagoum Yamassoum | (Chad) |
| 6. Mr. Sekhonyana N. Bereng | (Lesotho) |
| 7. Mrs. Julia Dolly Joiner | (Gambia) |
| 8. Mr. Mamadouba Falilou Bah | (Guinea) |

Infrastructure and Energy

- | | |
|-------------------------------------|------------|
| 5. Mr. Bernard Zoba | (Congo) |
| 6. Mrs. Elham Mahmood Ahmed Ibrahim | (Egypt) |
| 7. Mr. Fathi H. Ben Shatwan | (Libya) |
| 8. Mrs. Uphie F. Chinje Melo | (Cameroon) |

Social Affairs

- | | |
|-----------------------------------|-----------|
| 5. Mrs. Soukeyna Ndiaye Ba | (Senegal) |
| 6. Mrs. Bience Philomina Gawanas | (Namibia) |
| 7. Mrs. Marie-Agnes Koumba | (Gabon) |
| 8. Mrs. Grace Kyomuhendo-Bantebya | (Uganda) |

Human Resources, Science and Technology

- | | |
|----------------------------------|------------|
| 2. Mr. John Patrick Kabayo | (Uganda) |
| 1. Mr. Sospeter Muhongo | (Tanzania) |
| 3. Mr. Martial de Paul Ikounga | (Congo) |
| 4. Mrs. Nagia Mohammed Essayed | (Libya) |
| 4. Mr. Jean Pierre Onvehoun Ezin | (Benin) |

Trade and Industry

- | | |
|--------------------------|------------|
| 3. Mrs. Elizabeth Tankeu | (Cameroon) |
| 4. Mrs. Amina C. Mohamed | (Kenya) |
| 2. Mr. Alphonse Okoye | (Congo) |

Rural Economy and Agriculture

- | | |
|----------------------------|------------|
| 3. Mr. Ibrahim I. Rihan | (Egypt) |
| 4. Mrs. Phoebe M. Ditshipi | (Botswana) |
| 2. Mrs. Celestine Zanou | (Benin) |
| 3. Mr. Nkobi Mpho Moleele | (Botswana) |

Economic Affairs

- | | |
|-------------------------------|------------|
| 5. Mr. M. Maxwell Mkwezalamba | (Malawi) |
| 6. Mr. Roger Tchoungui | (Cameroon) |
| 7. Mrs. Aziza Baroud | (Chad) |
| 8. Mrs. Mampiti F. Nchapi | (Lesotho) |

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CONSELHO EXECUTIVO

Décima Segunda Sessão Ordinária

28 – 29 de Janeiro de 2008

Adis Abeba, Etiópia

EX.CL/403 (XII) b

RELATÓRIO SOBRE A ELEIÇÃO DOS COMISSÁRIOS
DA UNIÃO AFRICANA

RELATÓRIO SOBRE A ELEIÇÃO DOS COMISSÁRIOS
DA UNIÃO AFRICANA

I. INTRODUÇÃO

1. A informação contida neste documento é baseada nas disposições das Regras de Procedimento da Conferência e do Conselho Executivo, nos Estatutos da Comissão bem como nas Modalidades para a Eleição dos Membros da Comissão adoptadas em Adis Abeba, em Janeiro de 2007.

2. A Comissão é composta por dez (10) membros: o Presidente, o Vice-presidente e oito (8) Comissários¹³.

3. O mandato do membro da Comissão deverá ser de quatro (4) anos. Os membros estão habilitados a competir por uma reeleição para um novo mandato de quatro (4) anos¹⁴.

4. As regiões das quais o Presidente e o Vice-presidente forem nomeados deverão ter direito a somente um (1) Comissário cada. Todas as restantes regiões deverão ter direito a dois (2) Comissários¹⁵. Entretanto, o/a Presidente da Comissão e o/a seu/sua Vice não podem ser da mesma região¹⁶. A representação regional dos Membros na Comissão é, portanto, a seguinte:

- Central: 2;
- Oriental: 2;
- Norte: 2;
- Austral: 2; e
- Oriental: 2

5. Pelo menos um (1) Membro da Comissão de cada uma das regiões deve ser mulher¹⁷.

6. Deve ser lembrado que os Comissários da Comissão da União Africana foram eleitos em Maputo, Moçambique, em Julho de 2003, para um mandato de quatro (4) anos. Neste sentido, a Comissão informou aos Estados Membros que a eleição dos Comissários seria realizada durante a Nona Sessão Ordinária da Conferência agendada para Acra, Gana, em Julho de 2007. O prazo para a apresentação das candidaturas foi definido para 30 de Março de 2007. Após expirar o referido prazo, a Comissão informou aos Estados Membros das candidaturas que haviam sido recebidas para o posto de Comissário.

¹³ Artigo 2 dos Estatutos da Comissão.

¹⁴ Artigo 10 dos Estatutos da Comissão.

¹⁵ Artigo 37 (1) e 6 (2) das Regras de Procedimento do Conselho Executivo e dos Estatutos da Comissão respectivamente.

¹⁶ Artigo 38 (4) das Regras de Procedimento da Conferência.

¹⁷ Artigo 6 (3) dos Estatutos da Comissão.

7. Deve ser ainda lembrado que a reunião da Conferência em Acra, Gana, em Julho de 2007, decidiu em adiar a eleição dos Membros da Comissão para as futuras sessões dos órgãos de políticas agendadas para Janeiro de 2008 em Adis Abeba, Etiópia. O prazo para a apresentação de candidaturas foi prorrogado para 30 de Outubro de 2007. A Comissão, após expirar o prazo, comunicou a situação das candidaturas para o posto de Presidente, Vice-presidente e dos Comissários para todos os Estados Membros.

II. CRITÉRIOS

8. Na eleição dos membros da Comissão, deve ser dada especial atenção aos seguintes critérios:

- a) **Distribuição Regional:** As regiões das quais sejam nomeados o Presidente e o Vice-presidente terão direito a um (1) Comissário cada. Todas as outras regiões terão direito a dois (2) Comissários¹⁸. Entretanto, o Presidente e o Vice-presidente não devem ser da mesma região. Deve-se notar que só os cidadãos dos Estados Membros estão qualificados a nomeação como Comissários, desde que os dois (2) Comissários não sejam cidadãos do mesmo Estado Membro. Portanto, cada uma das cinco (5) regiões está habilitada a dois (2) membros na Comissão.
- b) **Igualdade do Género:** Pelo menos um (1) membro da Comissão de cada região deve ser mulher¹⁹. Portanto, a Comissão será composta por cinco (5) homens e cinco (5) mulheres.
- c) **Qualificações e Experiências:** Os Comissários devem possuir a qualificação académica mínima não inferior à licenciatura, ou equivalente de uma Universidade reconhecida. Devem ser igualmente mulheres e homens competentes com experiência comprovada na área específica, qualidades de liderança reconhecidas e boas referências no governo, parlamento, organizações internacionais ou outros importantes sectores da sociedade²⁰.
- d) **Idade:** Os critérios mínimos de idade aplicáveis devem ser de trinta e cinco (35) anos²¹.

¹⁸ Artigos 6 (2) e 15 (3) dos Estatutos da Comissão. Regra 38 (4) e 39 (1) das Regras de Procedimento da Conferência da União. Regra 37 (1) das Regras de Procedimento do Conselho Executivo.

¹⁹ Artigo 6 dos Estatutos da Comissão.

²⁰ Regra 38 (2) e 39 (2) das Regras de Procedimento da Conferência da União. Regra 37 (2) das Regras de Procedimento do Conselho Executivo, Artigos 15 (1) e 15 (2) dos Estatutos da Comissão. Deve ser notado que os Membros da Comissão do sexo feminino não têm a responsabilidade da integração do género na União Africana. A principal responsabilidade para a promoção da igualdade no género na União é do Presidente da Comissão com o apoio técnico do Departamento de Promoção e Igualdade no Género sob alçada do seu Gabinete.

²¹ Artigo 15 (3) dos Estatutos da Comissão.

III. PASTAS ²²

9. As pastas, conforme definidas no Artigo 12 dos Estatutos da Comissão, na base das quais os Comissários serão eleitos são as seguintes:

- a) **PAZ E SEGURANÇA** (Prevenção de Conflitos, Gestão e Resolução, e Combate ao Terrorismo...);
- b) **ASSUNTOS POLÍTICOS** (Direitos Humanos, Democracia, Boa Governação, Instituições Eleitorais, Organizações da Sociedade Civil, Questões Humanitárias, Refugiados, Regressados e Pessoas Internamente Deslocadas);
- c) **INFRAESTRUTURA E ENERGIA** (Energia, Transportes, Comunicações, Infraestruturas e Turismo...);
- d) **ASSUNTOS SOCIAIS** (Saúde, Crianças, Controlo de Drogas, População, Migração, Trabalho e Emprego, Desporto e Cultura...);
- e) **RECURSOS HUMANOS, CIÊNCIA E TECNOLOGIA** (Educação, Tecnologias de Informação e Comunicação, Juventude, Recursos Humanos, Ciência e Tecnologia...);
- f) **COMÉRCIO E INDÚSTRIA** (Questões do Comércio, Indústria, Alfândegas e Imigração...);
- g) **ECONOMIA RURAL E AGRICULTURA** (Economia Rural, Agricultura e Segurança Alimentar, Gado, Meio Ambiente, Água e Recursos Naturais e Desertificação...);
- h) **ASSUNTOS ECONÓMICOS** (Integração Económica, Assuntos Monetários, Desenvolvimento do Sector Privado, Mobilização de Investimento e de Recursos...).

IV. MODALIDADES PARA A SELECÇÃO DOS CANDIDATOS

- a) **O Painel Ministerial sobre a Pré-selecção dos Candidatos para os Postos de Comissários e Equipa de Consultores Independentes**

10. O Artigo 14 dos Estatutos da Comissão estipula, *inter alia*, “Um Painel constituído por dois (2) representantes de cada região deverá ser criado para o

²² Artigo 12 dos Estatutos da Comissão.

exercício central de selecção. Além disso, “o Painel será constituído por Ministros apoiados por uma Equipa de Consultores Independentes”. Em conformidade com o Artigo 14 dos Estatutos da Comissão e Decisão EX.CL/Dec281 (IX) adoptada pelo Conselho Executivo em Banjul, Gâmbia, em Julho de 2006, um Painel Ministerial constituído por dois (2) representantes de cada região foi criado para o exercício central de selecção.

11. A Comissão, vide a sua Nota Verbal com a referência BC/OLC/217/2/Vol.IV datada de 18 de Julho de 2006, solicitou os Estados Membros a levar a cabo as consultas necessárias com vista a apresentar os nomes dos Membros do Painel Ministerial. Após consultas regionais, o Painel foi constituído com os seguintes Estados Membros: Região Central: Congo e Gabão; Região Oriental: Djibuti e Quénia; Região Norte: Egipto e Líbia; Região Austral: Angola e África do Sul; e Região Oriental: Benin e Gana.

12. O Painel Ministerial sobre Pré-Seleccção dos Comissários reunido, na sua primeira sessão realizada na Sede da UA em Adis Abeba, Etiópia, a 28 de Novembro de 2007, decidiu nomear os seguintes membros da Equipa de Consultores Independentes para apoiar o Painel:

	Nome	País	Região	Género
1.	Abdelmajid BENKHALIFA	Tunísia	Norte	Masculino
2.	Gaoussou DIARRAH	Mali	Oriental	Masculino
3.	Helen Bawange DINANI	Zimbabue	Austral	Feminino
4.	William Fidele EBONDZA	Congo	Central	Masculino
5.	Alex GLOVER-QUARTEY	Gana	Ocidental	Masculino
6.	Paul Nyaga MBATIA	Quénia	Oriental	Masculino
7.	Nalishebo N. MEEBELO	Zâmbia	Austral	Feminino
8.	Sr. Eugene NINDORERA	Burundi	Central	Masculino
9.	Vijaya Lakshmi SAHA	Maurícias	Oriental	Feminino
10.	Chergui SMAIL	Argélia	Norte	Masculino

b) Pré-Seleccção e Seleccção dos Comissários

13. Em conformidade com o Artigo 13 dos Estatutos da Comissão, o processo de eleição iniciou com a pré-seleccção dos candidatos ao nível regional.

14. Cada região foi encarregue de elaborar as suas próprias modalidades para a lista seleccionada e selecção dos Comissários e nomear dois (2) candidatos incluindo uma mulher para cada pasta.²³ Para as oito (8) pastas, cada região devia nomear dezasseis (16) candidatos (oito (8) homens e oito (8) mulheres), perfazendo um total geral de oitenta (80) candidatos. Contudo, deve ser destacado que no final do prazo para a apresentação das candidaturas, um total de cinquenta e três (53) candidaturas foram recebidas e somente a região Central

²³

Artigos 13 e 14 (3) dos Estatutos da Comissão.

havia cumprido em pleno com as disposições do Artigo 13 dos Estatutos. As candidaturas das regiões foram da seguinte forma:

- ❖ Central: Dezasseis (16): oito (8) masculinos e oito (8) femininos;
- ❖ Oriental: Sete (7): três (3) masculinos e quatro (4) femininos;
- ❖ Norte: Sete (7): quatro (4) masculinos e três (3) femininos;
- ❖ Austral: Onze (11): cinco (5) masculinos e seis (6) femininos;
- ❖ Oriental: Onze (11): seis (6) masculinos e cinco (5) femininos.

15. Os candidatos ora seleccionados ao nível regional foram apresentados à Equipa de Consultores cujo mandato foi o seguinte:

- a) Analisar e avaliar os Curriculum Vitae dos oitenta (80) candidatos para Comissários apresentados pelas cinco (5) regiões da UA para o processo central de pré-selecção;
- b) Garantir e estabelecer a equivalência das qualificações académicas dos candidatos;
- c) Avaliar e comparar as qualificações académicas e a experiência laboral com relação à pasta para cada candidato;
- d) Realizar uma determinação analítica e objectiva da aptidão de cada candidato para a respectiva pasta;

16. O Painel Ministerial sobre a Pré-Seleção dos Comissários reuniu-se a 10 de Janeiro de 2008 na Sede da União Africana em Adis Abeba para analisar o relatório da Equipa Independente de Consultores constituída para apoiar-la e para elaborar a lista seleccionada das candidaturas para os postos de Comissários tendo em conta os critérios acordados para a selecção. O Painel Ministerial elaborou a lista seleccionada dos quatro principais candidatos para cada pasta para apresentação ao Conselho Executivo para eleição e subsequente nomeação por parte da Conferência (Vide Anexo I: Lista dos Quatro (4) Principais Candidatos para a posição de comissários conforme seleccionados pelo Painel Ministerial).

V. PROCEDIMENTOS DE VOTAÇÃO

17. O Artigo 42 (1) do Regulamento da Conferência prevê que a votação deve iniciar com a eleição do Presidente e do Vice-presidente; posteriormente a Conferência deve nomear os Comissários eleitos pelo Conselho Executivo.

18. O procedimento de votação é regido pelo Artigo 38 do Regulamento Interno do Conselho Executivo, que estipula:

- “1. Em qualquer eleição dos Comissários, a votação para cada pasta deve continuar até que um dos candidatos obtenha a maioria de

dois-terços necessária. Caso a 3ª volta da votação continue inconclusiva, a próxima votação deve ser restrita aos dois (2) candidatos que obtiverem maior número de votos nesta votação.

- b. Se após três (3) votações nenhum dos dois (2) candidatos obtiver a maioria necessária, o candidato com menos votos deverá retirar-se.
- c. Quando houver somente dois candidatos inicialmente e nenhum dos candidatos obtiver a maioria necessária após a terceira votação, o candidato com menos votos deve se retirar e os restantes candidatos devem continuar para a próxima volta.
- d. Caso os candidatos restantes não obtenham a maioria de dois-terços necessária nessa volta, o Presidente deverá suspender a eleição”.
- e. Quando houver somente um (1) candidato inicialmente e ele/ela não obtenha a maioria de dois-terços necessária após a terceira votação, o Presidente deve suspender a eleição.
- f. O procedimento de votação deve ser aplicável para todas as eleições realizadas pelo Conselho Executivo em relação aos demais Órgãos da União.”

VI. PROCESSO ELEITORAL

19. Em conformidade com a Regra 42 das Regras de Procedimento da Conferência da União, a votação deve iniciar com a eleição do Presidente da Comissão, seguida da eleição do Vice-presidente; em seguida a Conferência deve aprovar os Comissários eleitos pelo Conselho Executivo.

20. A implementação prática desta metodologia deve significar que a Conferência irá eleger o Presidente e o Vice-presidente no primeiro dia da sua Sessão Ordinária em Adis Abeba, Etiópia, em Janeiro de 2008, e imediatamente depois, o Conselho Executivo deve-se reunir noutra local para eleger os Comissários e apresentar os nomes à Conferência para nomeação.

21. Esta metodologia pode igualmente significar que a Conferência da União deverá continuar com a análise dos seus pontos da agenda na Plenária, enquanto o Conselho estará reunido noutra sala a realizar as eleições dos Comissários. Os nomes dos candidatos eleitos pelo Conselho Executivo devem ser apresentados à Conferência para nomeação.

ANEXO I:

LISTA DOS QUATRO (4) PRINCIPAIS CANDIDATOS
PARA A POSIÇÃO DE COMISSÁRIOS CONFORME SELECIONADA
PELO PAINEL MINISTERIAL SOBRE A ELEIÇÃO DOS COMISSÁRIOS

Paz e Segurança

- | | |
|-------------------------------------|-----------|
| 1. Sr. Pierre-Juste Mounzika Ntsika | (Congo) |
| 2. Sr. John Kayode Shinkaiye | (Nigéria) |
| 3. Sr. Ramtane Lamamra | (Argélia) |
| 4. Sra. Monica Kathina Juma | (Quênia) |
| 4. Sr. Boubacar Diallo | (Guiné) |

Assuntos Políticos

- | | |
|------------------------------|----------|
| 1. Sr. Nagoum Yamassoum | (Chade) |
| 2. Sr. Sekhonyana N. Bereng | (Lesoto) |
| 3. Sra. Julia Dolly Joiner | (Gâmbia) |
| 4. Sr. Mamadouba Falilou Bah | (Guiné) |

Infra-estruturas e Energia

- | | |
|-------------------------------------|------------|
| 1. Sr. Bernard Zoba | (Congo) |
| 2. Sra. Elham Mahmood Ahmed Ibrahim | (Egipto) |
| 3. Sr. Fathi H. Ben Shatwan | (Líbia) |
| 4. Sra. Uphie F. Chinje Melo | (Camarões) |

Assuntos Sociais

- | | |
|----------------------------------|-----------|
| 1. Sra. Soukeyna Ndiaye Ba | (Senegal) |
| 2. Sra. Bience Philomina Gawanas | (Namíbia) |
| 3. Sra. Marie-Agnes Koumba | (Gabão) |
| 4. Sr. Grace Kyomuhendo-Bantebya | (Uganda) |

Recursos Humanos, Ciência e Tecnologia

- | | |
|----------------------------------|------------|
| 1. Sr. John Patrick Kabayo | (Uganda) |
| 1. Sr. Sospeter Muhongo | (Tanzânia) |
| 3. Sr. Martial de Paul Ikounga | (Congo) |
| 4. Sra. Nagia Mohammed Essayed | (Líbia) |
| 4. Sr. Jean Pierre Onvehoun Ezin | (Benin) |

Comércio e Indústria

1. Sra. Elizabeth Tankeu (Camarões)
2. Sra. Amina C. Mohamed (Quênia)
2. Sr. Alphonse Okoye (Congo)

Economia Rural e Agricultura

1. Sr. Ibrahim I. Rihan (Egipto)
2. Sra. Phoebe M. Ditshipi (Botswana)
2. Sra. Celestine Zanou (Benin)
3. Sr. Nkobi Mpho Moleele (Botswana)

Assuntos Económicos

1. Sr. M. Maxwell Mkwezalamba (Malawi)
2. Sr. Roger Tchoungui (Camarões)
3. Sr. Aziza Baroud (Chade)
4. Sra. Mampiti F. Nchapi (Lesoto)

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Report of the ministerial panel for the central pre-selection process of commissioners

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