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**REPORT OF THE SUB-COMMITTEE ON HEADQUARTERS
AND HOST AGREEMENTS**

REPORT OF THE SUB-COMMITTEE ON HEADQUARTERS AND HOST AGREEMENTS

I. INTRODUCTION

1. The PRC Sub-committee on Headquarters and Host Agreements met at the AU Headquarters in Addis Ababa, Ethiopia on 23 February 2012, 28 June 2012, 11 November 2012, , 11 January 2013 and 16 January 2013 under my Chairmanship, [H.E. Mr. Andrew Gbebay Bangali] as Permanent Representative of Sierra Leone to the African Union

II. ATTENDANCE

2. These meetings were attended by the following Members States of the Sub-committee:

Chad, Equatorial Guinea, Ethiopia, Gabon, Ghana, Guinea, Kenya, Lesotho, Mauritania, Mozambique, Nigeria, Sahrawi Arab Democratic Republic and Sierra Leone.

3. The following member States of the Sub-committee were not represented:

Djibouti and Namibia.

III. ISSUES CONSIDERED

4. The Sub-committee considered, counselled upon and took actions on the following issues brought before the Sub-committee:

- i) Consideration of complaints received from Member States on the alleged abuse of the privileges and immunities of its officials:
 - a) Embassy of the Republic of Ghana; and
 - b) Embassy of the State of Eritrea.
- ii) Consideration of issues from the Commission on the implementation of the Headquarters Agreement.
- iii) Implementation of Directive on Value Added Tax (VAT)

IV. DELIBERATIONS AND ACHIEVEMENTS

5. *In relation to complaints from Member States*, the Permanent Mission of the Republic of Ghana withdrew the complaint it had earlier submitted as the matter had been resolved bilaterally with the Host government.

6. In addition, the Sub-Committee successfully resolved a complaint from Eritrea by inviting the Permanent Mission of Eritrea to a meeting of the Sub-committee to present its complaint. The Sub-Committee heard the allegations and counter-allegations of the representatives of both the Eritrean Permanent Mission and Ethiopian Foreign Ministry, respectively **and resolved the issue amicably**. The Host Country also reaffirmed its commitment to uphold the values of the Union and various privileges and immunities enshrined in the Host Agreement.

7. *In relation to issues from the Commission*, I am pleased to report that the Sub-committee was able to request the Host Country and the AU Commission to reconvene the meetings of the Headquarters Implementation Committee in accordance with the Headquarters Agreement. In this regard, the following issues, among others, were also resolved:

- i) Payment of insurance premium on duty-free vehicles;
- ii) Disparity in issuance of special identity cards to internationally recruited staff in the general services category;
- iii) Visa on arrival for delegates of Member States and AU Guests;
- iv) Duty free period for the importation of vehicles on initial recruitment for Staff members;
- v) Work permits for spouses of staff members;
- vi) Seizure of monies from staff members at the Bole International airport;
- vii) Limitation on the number of airport passes issued to the Commission;
- viii) Language of official correspondence from Government offices; and
- ix) Use of the VIP lounge.

8. On the implementation of the directive on Value Added Tax (VAT) that was introduced by a Member State for clarification by the Host Country, the Sub-committee was informed that the relevant government agencies were working to put in place a proper regulatory system to ensure that those who are entitled to tax exemption do not have to pay tax in the first place. The Sub-committee views this action by the Host Country as an achievement since the matter is receiving the attention it deserves by the relevant authorities and expected to be resolved in due course.

V. ON-GOING ISSUES

9. The Sub-committee is pleased to note that while there are no longer any unresolved issues from Member States, the Sub-committee has requested to Headquarters Implementation Committee to continue with ongoing discussions on the following issues:

- Duty free period for the importation of vehicles on initial recruitment for Staff members;
- Importation of second vehicle for staff members married to Ethiopian nationals or permanent residents;
- Requirement for AUC Staff Member's contract in the issuance of a new or renewal of ID card;
- Reimbursements for seizures of foreign currency at the airport;
- Relations between the AUC, the Ministry of Foreign Affairs and other Government Agencies of Ethiopia.

10. I am pleased to report that discussions with the Host Country are ongoing through formal and informal channels with a view to resolving issues that arise in a timely manner. It is important to note the cooperation of the Host Government and especially the Permanent Representative of Ethiopia, Amb. Sinigiorgis Konjit who has availed herself on a number of occasions to intervene in her official and personal capacity to address issues from both the Member States and the Commission.

VI. RECOMMENDATIONS

11. As Chair of the Sub-committee for the past two years and in order to improve the work of the Sub-committee, the PRC may wish to consider the following recommendations:

- The Headquarters Implementation Committee should meet regularly in order to continue to resolve, in a timely manner, issues regarding the implementation of the Headquarters Agreement;
- the bureau of the Sub-Committee should be invited to attend the meetings of the Headquarters Implementation Committee to facilitate its work in monitoring the implementation of the Headquarters Agreement.

VII. VOTE OF THANKS

12. I wish to thank the members of the Sub-committee for the cooperation extending during my tenure and especially the Host Country for facilitating the work of the Sub-committee by indulging and clarifying issues brought before us.

13. I also wish to thank the Host Government for addressing most of the issues and hope that the incoming members of Sub-Committee continue to work in the same spirit of cordiality.

14. Special thanks again to my colleague, Amb. Konjit and her team as well as the AU Commission for convening the meetings.

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