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**REPORT OF THE AU COMMISSION ON THE
OPERATIONALIZATION OF THE AFRICA CDC**

AUGUST 2021

I. BACKGROUND

1. The Africa Centers for Disease Prevention and Control (Africa CDC) is a specialized technical Institution of the African Union, charged with the responsibility to promote the prevention and control of diseases in Africa. The establishment of the Africa CDC was endorsed by the Assembly Decision/AU/Dec.554 (XXIV) at the 24th Ordinary Session of the Assembly held in Addis Ababa, Ethiopia in January 2015. In January 2016, the 26th Ordinary Session of the Assembly approved the Statute of the Africa CDC. Subsequently, Africa CDC was officially launched on 31st January 2017.

2. In the four and half years of its existence, the Africa CDC has performed creditably well. However, it continues to face numerous programmatic, administrative and governance related challenges that affect its optimal performance and ability to deliver on its mandate. Delays in operationalization of Africa CDC has led to limitations in executing its function of supporting Member States to fight diseases. Africa CDC is too often not able to respond as fast as it should in its preparations and responses to disease outbreaks and health emergencies, due to long internal approval and bureaucratic processes for release of funds, procurement, as well as recruitment and staff management.

3. Mindful of the commitment for the establishment of the Africa CDC coupled with the lessons learned from previous emergency responses including for Ebola and the ongoing Covid-19 pandemic, the Executive Council, in its Decision EX.CL/Dec.1106(XXXVII) of October 2020, REQUESTED the Commission to: *“prepare a report, including a road map and Framework of Operations, outlining the financial, legal and structural implications to fully operationalize the Africa CDC in line with its Statute, for submission to the Council at its 38th Ordinary Session through AU Policy Organs”*.

4. The Council’s request was in response to the directive of the Bureau of the Assembly of the Union that the Africa CDC be strengthened for better preparedness and response to COVID-19 and other public health emergencies. It was also in recognition of the valuable efforts and commendable leadership role played by the Africa CDC in responding to the COVID-19 pandemic in Africa, as well as the urgent need to be proactive in handling future disease outbreaks and health emergencies.

5. Subsequently, the Council during its 38th Ordinary Session, deliberated on the report on the African Union Response on COVID-19 Pandemic in Africa and expressed its deep concern with regards to the delay in submission of a full report as requested by its decision EX.CL/Dec.1106(XXXVII). The Council further expressed concern on the delay in the full operationalization of the Africa CDC which, they expressed, will have serious negative consequences in the ability of the continent to continue responding effectively to the COVID-19 Pandemic.

6. Considering the above, the Council, in its decision EX.CL/Dec.1110(XXXVIII) of February 2021, INSTRUCTED the Commission to produce a report including a Road Map and Framework of Operations, outlining the financial, legal and structural implications to fully operationalize the Africa CDC in line with its Statute, for the consideration of the Permanent Representative Committee by end of February 2021,

and the report to be then submitted to the 39th Ordinary session of the Executive Council.

7. The following report is therefore submitted pursuant to the directive of the Executive Council contained in decisions EX.CL/Dec.1106(XXXVII) and EX.CL/Dec.1110(XXXVIII).

II. MEASURES TAKEN BY THE AU COMMISSION

8. Pursuant to the request of the Executive Council contained in decisions EX.CL/Dec.1106(XXXVII) and EX.CL/Dec.1110(XXXVIII), the Chairperson of the AU Commission established a taskforce on 18 February 2021 on Operationalization of the Africa CDC. The Task Force was to provide recommendations, including a Road Map and Framework of Operations outlining the financial, legal and structural implications to fully operationalize the Africa CDC in line with its statute.

9. The Commission has therefore adopted a two-step approach to tackle the challenges of operationalizing Africa CDC, namely;

Phase I: To identify the key functions that should immediately be transferred to Africa CDC to allow it to function properly, based on its current Statute. These functions will not have any financial, legal and structural implications; and

Phase II: To review the Statute of the Africa CDC and propose amendments taking into consideration calls by several Heads of State including President Kagame as the Lead of the reform agenda, President Ramaphosa as the Union's COVID-19 Champion, and President Tshisekedi as the current Chair of the African Union for "The strengthening of Africa CDC and the reinforcement of its autonomy by providing more powers and authority to its management". These new proposals may have legal and financial implications.

10. The findings show that Africa CDC is not functioning optimally in meeting its mandate, including responding to epidemic outbreaks and related health emergencies in Africa. It continues to face numerous programmatic, administrative and governance related challenges that affect its optimal performance and ability to deliver on its mandate. Delays in full operationalization of Africa CDC has led to limitations in executing its function to support Member States in preparing for and rapidly responding to disease outbreaks and health emergencies on the continent. Africa CDC is also often not as fast as it should be in its preparations and responses due to long internal approval and bureaucratic processes for procurement, release of funds, and recruitment of appropriate human resource capacity. Africa CDC's ability to carry out effective emergency response to public health emergencies in Member States is challenged by the following:

- a) A general misinterpretation of the Africa CDC's Statute at various levels of the Commission thus preventing a coordinated and robust Africa CDC response to public health emergencies. This has negatively impacted the execution of Africa CDC Mission and mandate.

- b) Inadequate allocation of available AU resources leading to insufficient staffing and logistical support for all aspects of emergency response operations; and
- c) Inflexible application of existing AU regulations, rules and guidelines, e.g., those for procurement, financial management and human resources management, in the context of public health emergencies/humanitarian crises which has significantly limited Africa CDC's ability to work rapidly and efficiently.

11. With regards to Phase I work, the Commission has identified and initiated the following measures to address the challenges and fully operationalize the Africa CDC:

- a) To transfer the identified key human resources, procurement, information systems and finance functions to Africa CDC in a set timeline;
- b) To expedite the recruitment of regular staff to fill the positions that have already received AU policy organs approval;
- c) The confirmation by the Chairperson of the Commission for the Director of Africa CDC, as the Chief Executive Officer, to exercise authority in the overall management of the Africa CDC, as per Article 21(1)(a) of the Statute. This authority shall be exercised in line with AU rules, regulations, procedures and directives;
- d) Also, to immediately enable the Director of Africa CDC, in line with Article 4(4) of the Statute, with the authority to declare a public health emergency on the continent; further, in the event of a public health emergency, to deploy responders and relevant resources quickly and efficiently;
- e) To implement Executive Council Decision EX.CL/Dec.970 (XXXI) of July 2017 and ensure 0.5% of the Union's annual budget be allocated to the Africa CDC for disease surveillance, detection and response. This is envisaged as a reserve fund to provide additional predictability to the funding of Africa CDC. The Commission presented this decision for inclusion in the 2022 budget;
- f) To ensure that the monitoring of the progress on the implementation of proposed recommendations is carried out on bi-monthly basis and the report submitted to the AUC Chairperson;
- g) To request the Executive Council to waive, on exceptional basis, Decision 1097 which abolished the roster system, to allow expeditious action on recruitment of staff to the Africa CDC. The waiver on the roster system is an exceptional measure to address the urgency of staffing the Africa CDC in a short period of time; and

- h) To initiate Phase II of the Task Force's work and report to the Executive Council in January 2022.

12. The proposed administrative and financial measures of Phase I do not have any additional financial, legal and/or structural implications for their implementation.

III. RECOMMENDATIONS

13. The AUC requests the Executive Council to:

- 1) Take note and endorse this report including the roadmap (Annex 1);
- 2) Approve the 2022 budget that implements the Executive Council Decision EX.CL/Dec.970 (XXXI) of July 2017 for "0.5% of the Union's annual budget be allocated to the Africa CDC for disease surveillance, detection and response as a reserve fund to provide additional predictability to the funding of Africa CDC"; and
- 3) Waive, on exceptional basis, Executive Council Decision EX.CL/Dec.1097 (XXXVII) of October 2020 which abolished the roster system and allow recruitment by roster only of critical emergency staff.

ANNEX 1 – ROADMAP

Activity	Action By	Timeline
Consideration of the Commission Report on Operationalizing the Africa CDC in line with its Statute	Executive Council	October 2021
Setting up of Africa CDC HR, Procurement and Finance Units	AUC and Africa CDC	August 2021
Progress Report to the PRC and Governing Board on Implementation of the Governance and Procedure Manual - setting up autonomous HR, Procurement and Finance Units, as well as the staffing situation of the Africa CDC	Africa CDC	Biannually
Implementation of the decisions EX.CL/Dec.970 (XXXI) and EX.CL/Dec.1106(XXXVII) of the Executive Council and Biennial Budget Cycle for Africa CDC	AUC/Finance/Strategic Planning and Africa CDC	Immediate
Progress Report to the PRC and Governing Board on Implementation of the decisions EX.CL/Dec.970 (XXXI) and EX.CL/Dec.1106(XXXVII) of the Executive Council and Biennial Budget Cycle for Africa CDC	AUC/Finance/Strategic Planning and Africa CDC	Biannually
AUC Report on Phase II of Operationalization of Africa CDC	AUC/Africa CDC	January 2022

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