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REPORT OF THE SUB-COMMITTEE ON STRUCTURAL REFORMS

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**THE BUREAU OF THE PERMANENT REPRESENTATIVES COMMITTEE
(PRC) – SUB- COMMITTEE ON STRUCTURAL REFORMS**

DRAFT REPORT

December 14, 2023

Virtual Session

A. INTRODUCTION

1. The meeting of the Bureau of the PRC Sub-Committee on Structural Reforms was held virtually on 14 December 2023.
2. The meeting was chaired by H.E. Amb. Amma A. Twum-Amoah, Ambassador of the Republic of Ghana and Permanent Representative to the African Union.

B. ATTENDANCE

3. The following Bureau Members attended the meeting:
 - Congo
 - Djibouti
 - Ghana
 - Morocco
 - Zimbabwe

C. CONSIDERATION OF DRAFT AGENDA

4. The draft agenda of the meeting was adopted as follows:
 1. Opening Remarks by the Chairperson of the Sub-Committee
 2. Adoption of the Agenda
 3. Consideration of the Draft Decision for the delegation of authority to approve structures
 4. Any Other Business
 5. Closing remarks

D. OPENING REMARKS

5. In her opening remarks, H.E. Amb. Amma A. Twum-Amoah, Chairperson of the PRC Sub-Committee on Structural Reforms welcomed her colleagues to the meeting.
6. The Chair informed the Members of the Bureau present that she convened the meeting at the Bureau level due to information received from the Commission to the effect that after internal consultations, the Commission had decided that no structure would be presented for consideration to the forthcoming Summit. She further stated that the Commission had indicated that priority would be given to the ongoing reform process. Hence, it had been proposed that the Assembly delegates its authority to the Executive Council to consider the structures of the African Humanitarian Agency (AHA) and African Inclusive Markets Excellence Centre (AIMEC) during its session in mid-2024.

7. The Chair then informed the Members of the Bureau that the purpose of the meeting was to deliberate on the request made by the Commission and to decide on same.

E. CONSIDERATION OF THE DRAFT DECISION FOR THE DELEGATION OF AUTHORITY TO APPROVE STRUCTURES

8. Clarification was sought from the Secretariat on the entities presented for consideration.

9. The Secretariat explained that the entities presented were not part of the ongoing reform process as they are non-existent.

10. The Secretariat further informed the Bureau that the entities were:

- i) The Africa Inclusive Markets Excellence Centre (AIMEC); and
- ii) The African Humanitarian Agency (AHA).

11. The Secretariat also informed the Bureau that the African Commission on Human and Peoples Rights (AfCHPR) in Banjul, wanted to suggest a restructuring of its organogram. However, after internal consultations, the Commission was of the view that priority should be given to the reform process.

12. The Secretariat then stated that it was not imperative for the request of the AfCHPR to be considered, as they are part of the reform process and so, it would be counterproductive to review the new structure proposed by the Commission in Banjul at this stage.

13. In response, the Bureau Members indicated that they had no objection to the postponement of the review of the structures of the aforementioned entities to July 2024. The Bureau also concurred with the view expressed by the Commission with regard to the Banjul Commission's proposal of restructuring of its organogram.

14. The delegation of Congo sought clarity on the subject of discussion and was informed by the Chairperson that the objective of the meeting was to consider the proposal of the Commission and deliberate on the draft Decision presented.

15. The Bureau sought clarification from the Secretariat on the issue of delegation of power for the consideration of the aforementioned structures and the decision on the creation of the Africa Inclusive Markets Excellence Centre (AIMEC).

16. The Secretariat responded that the powers were to be delegated to the Executive Council by the Assembly. The Secretariat also suggested that instead of listing the entities whose structures were to be considered in 2024, in the draft Decision, it should be left opened. The Secretariat further clarified that the creation of the Africa Inclusive Markets Excellence Centre was based on Decision Assembly/AU/Dec.856(XXXVI).

17. In response to the Secretariat's suggestion, the Chairperson and the Bureau Members stated that it was important to specify the entities whose structures would be considered during the Executive Council's Session in mid-2024 to serve as guidance.

18. Based on the clarification given on the issue of delegation of powers, the Bureau suggested that the draft Decision presented by the Secretariat be amended to specify that the Assembly is delegating its powers to the Executive Council. Further, the Bureau stressed the need of listing the entities which structures would be considered in mid-2024.

19. Upon review of the document presented to the Bureau for the creation of the Africa Inclusive Markets Excellence Centre, the Chairperson noted that the Decision was about the 'Statutes' of the organ, and sought clarity about its structure.

20. Since there was no representative of the Legal Counsel present at the meeting to provide further clarity, the Secretariat was tasked to circulate the Decision on the Africa Inclusive Markets Excellence Centre to the Bureau Members for their consideration and further guidance on its inclusion in the list of entities to be considered in the draft Decision.

21. Consequently, the Africa Inclusive Markets Excellence Centre was removed from the list, pending the circulation of the Decision for its creation. The meeting agreed that it would be included when the Secretariat avail to the Bureau Members the relevant Decision relating to the creation of the entity.

22. The Chairperson suggested that once the Decision on the creation of the Africa Inclusive Markets Excellence Centre is availed to the Bureau, the draft Decision on the delegation of authority could be amended to include same. Then the draft Decision could be circulated under silent procedure to all Member States for consideration. This suggestion was accepted by all participants of the meeting.

F. CONCLUDING REMARKS

23. The Chairperson concluded by presenting the amended draft Decision on the delegation of authority to the Members of the Bureau and it was endorsed by all.

24. The Chairperson further reminded the Bureau that Africa Inclusive Markets Excellence Centre would be included in the draft Decision only after the relevant document for its creation had been availed to Members of the Bureau by the Secretariat. Otherwise, the only entity that would be stated in the draft Decision would be the African Humanitarian Agency.

G. ANY OTHER BUSINESS AND ADJOURNMENT

25. Since there was no request to discuss any other business, the meeting was adjourned.

DRAFT DECISION

The Assembly,

1. **RECALLS** Article 9(2) of the Constitutive Act of the African Union, which mandates the Assembly to delegate any of its powers and functions to any Organ of the Union;
2. **DECIDES** to delegate its authority to the Executive Council to consider and adopt the structures of:
 - The African Humanitarian Agency
 - The Africa Inclusive Markets Excellence Centre

during its 45th session in June/July 2024.

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