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EX.CL/496 (XIV)

**REPORT OF THE COMMISSION ON THE SPECIALIZED
TECHNICAL COMMITTEES**

REPORT OF THE COMMISSION ON THE SPECIALISED TECHNICAL COMMITTEES

A. INTRODUCTION

1. The Specialised Technical Committees (STCs), which constitute an important technical organ of the Union, were established under Article 25 of the African Economic Community Treaty (the Abuja Treaty). With the transformation of the OAU into the AU, the STCs were carried over by the Constitutive Act of the African Union under Articles 14 to 16.

2. The STCs are expected to work in close collaboration with the various departments of the Commission so as to provide well-informed inputs **in their areas of specialisation to the work of the Executive Council**. They should also, be involved in **monitoring programme development and implementation by the AU and RECs** on behalf of the Executive Council. Therefore, the early operationalization of the STCs becomes imperative, given the overall objective of accelerating continental integration and the importance attached to the effective implementation of programmes and projects of the Union.

B. BACKGROUND

3. The Assembly of Heads of State and Government of the African Union adopted, at its first Ordinary Session held in Durban, South Africa in July 2002, Decision ASS/AU/DEC.1 (I) by which it requested the Commission to submit *inter alia* a comprehensive report on:

- All aspects of the functioning of the Specialized Technical Committees, including their terms of reference and modalities for programme formulation and implementation;
- The relationships between the STCs and similar organs of the regional economic communities (RECs), African governmental and non-governmental organizations and institutions;
- Streamlining of the activities and functional and programmatic relationship between the STCs and the existing ministerial sectoral conferences and commissions.

4. At the Third Ordinary Session of the Executive Council held in Maputo, in July 2003, the Commission presented the findings of a study conducted by consultants on the STCs as a follow up to the Durban Decision. In this regard, it is to be recalled that the report had made the following main recommendations:

- i) That there is a need to centralise the definition of sectoral priorities within the Union in order to enhance cost-effectiveness in focusing attention and resources on the key issues of the continent. In this regard, there is a need to have a mechanism for the assessment and the determination of sectoral priorities;
- ii) That the role of the STCs should be closely aligned with the six stages of the progressive building of the African Customs Union and the Common Market. This role should evolve in such a manner so as to enhance harmony and coordination between the African Union and the RECs. This could be done in phases beginning with the RECs themselves in the first instance, and later, promote the integration of the RECs, and through them the integration of Member States;
- iii) That a periodic mechanism for evaluation be put in place by the Executive Council to determine efficacy of the STCs, which should be monitored in line with the principles and objectives of the African Union.
- iv) That Article 5 and 16 be amended to enable for the creation of one STC to oversee the functions of STCs in the African Union

5. After deliberations on the Report, Council adopted Decision EX/CL/DEC.72 wherein the Commission was requested *inter alia* to deepen the study undertaken and to submit the report to Member States and various concerned African Sectoral Conferences.

6. Subsequently, the Executive Council meeting In Banjul, The Gambia in July 2006, considered a Progress Report on the STCs and by Decision Ex.CL/DEC.313 (IX) requested that the Commission expedite action on the study of STCs and report to the next Ordinary Session of the Executive Council in January 2007.

7. In Implementation of the Banjul Decision, the Chairperson directed that immediate action be taken to ensure finalisation of the study on STCs. To this end, an Interdepartmental Task Force Task Force was constituted with the following mandate:

- Receive and examine submissions from departments on the proposed configurations of the STCs pursuant to Article 14(2) of the Constitutive Act, taking into account the specific requests already received from sectoral ministerial conferences and, where possible, the composition or configuration of ministries in Member States;
- Make concrete recommendations on the configuration of the STCs as well as how often they should meet taking into consideration the resource constraints (human and financial);
- Determine, the financial implications of the recommendations (number of STCs and frequency of meetings);

- Consider and make recommendations on the programmatic relationship between the STCs and the RECs;
- Consider the specific problems encountered in co-organizing meetings with the United Nations System as well as the specific issue of ministerial conferences that wish to be considered as STCs but which want to retain Secretarial services provided by UN Agencies;
- Consider the programmatic and operational relationship between STCs and Specialized Agencies.

C. OVERVIEW ON THE CURRENT STCs AND MINISTERIAL CONFERENCES

8. The Commission, through the Task Force and the Departments, observed that the number and configuration of the STCs in their current form are a direct transposition from the Abuja Treaty and the constitutive Act and are thus not compatible with the Portfolios of the Commission.

9. Further, there is an overlap of Ministerial functions, and as such when meetings at Ministerial level are held as STCs in this format, it often results in the need for two or more Ministers and their collaborators to be present at each of the meetings, making it administratively and financially impracticable. For Example, the current STC on Health Labour and Social Affairs would require Ministers of Labour who meet as equal partners in a tripartite arrangement with Workers and Employers Organizations to meet concurrently with Ministers of Health as well as Ministers responsible for social Development. Thus, Ministers of Health have continued to meet on their own whilst Ministers of Labour and those responsible for Social Development meet together annually. However, this state of affairs has resulted in some sectors being ignored or not fully catered for; for example the Social Policy framework was adopted predominantly by a meeting attended by Ministers of Labour rather than Ministers responsible for Social Development and consequently was referred back to the right forum by Council.

10. Additionally, the present format and scope of the STCs do not adequately cover the vision of the AUC and had inadequacies such as recurring overlap of mandates, misplaced links, intersection of some sectors or dealing with issues that are cross cutting and therefore inter departmental in nature within the AU. This leads to duplication of work, makes it difficult to plan and results in the concerned Departments sometimes working at cross-purposes. The consequence of this is that attempts to functionalise the STCs in their current form have proved difficult.

11. It has also been argued that some of the existing Ministerial Conferences are convened by the United Nations System and or NEPAD and go on to determine African priorities and programmes without any role being assigned to the African Union Commission or the Commission is invited as an observer. It was strongly argued that all future sessions of the STCs should be convened and serviced by the AU Commission. In addition relevant UN Agencies and stakeholders may be involved to the extent possible as may be appropriate.

12. To this end it was agreed that the proposal from the earlier study by consultants that the Constitutive Act be amended in order to provide for the creation of one STC was not feasible. What is practical is to invoke Article 14 (2) of the Constitutive Act in order to enable the Commission to reconfigure the STCs and address the concerns raised above. Furthermore, in reconfiguring the STCs, it would not be feasible to seek to create an STC for each sector or to create them in relation to the number of Commissions in the AUC, as this would not be cost effective. Evidently, consideration must be given to areas where there was a lacuna or where some sectors could be reconfigured to accommodate those that in their present form overlap.

13. It should be recalled that Article 14 of the Constitutive Act (The Act) as well as Article 25 of the Treaty establishing the African Economic Community (Abuja Treaty) created the following seven STCs:

- a. Rural Economy and Agricultural matters;
- b. Monetary and Financial Affairs;
- c. Trade, Customs and Immigration Matters;
- d. Industry, Science and Technology, Energy, Natural Resources and Environment;
- e. Transport, Communications and Tourism;
- f. Health, Labour and Social Affairs; and
- g. Education, Culture and Human Resources.

14. It therefore goes without saying that any proposal to modify or reconfigure the present STCs must specifically highlight their shortcomings. To this end, before making new proposals for modification or reconfiguration, it has been considered necessary to first highlight the current configuration of STCs and their shortcomings as follows:

i) Committee on Rural Economy and Agricultural Matters

15. This Committee can continue to meet as configured provided that it is understood that it will have a mandate to deal only with agricultural matters and that other distinct STCs should deal with water and environment issues.

ii) Committee on Monetary and Financial Affairs

16. It was noted that the Abuja Treaty and the Act have both adopted integration as the only viable strategic option to revitalising economic growth and development in Africa. It is thus felt that the current STC is intended to focus on monetary and financial matters and is not intended to address the critical issue of integration, which has been identified as the key tool for developing Africa and for integrating Africa into the global economy. It is thus proposed to reconfigure this STC by creating a new STC and allow Ministers responsible for integration to play their proper role in the overall continental strategy.

iii) Committee on Trade, Customs and Immigration Matters

17. In considering the difficulties inherent in this STC, it is argued that currently there is an AU Conference of Ministers of Trade, under which various issues are addressed including, customs, commodities, and consumer protection with little or no emphasis on immigration. Similarly, a subcommittee of Director Generals of Customs also looks at Trade, Customs and Immigration though it will be realised that Customs and Immigration are not necessarily interrelated. From a trade and industry perspective, it is obvious that the organisation of annual meetings of the Conference of Ministers of Trade is critical for the coordination of intra-African trade and for the multilateral trade system. Annual meetings of ministers of industry have been organised under the aegis of the United Nations system, but from June 2006 it was resolved that all future meetings would be organised by the African Union. To cement this decision, there is need to reconfigure the above STC.

iv) Committee on Industry, Science and Technology, Energy, Natural Resources and Environment

18. The above-mentioned STC has a wide-ranging mandate that cuts across the functions of different ministries in Member States as well as at least four different portfolios within the AU Commission. For instance, annual meetings of African Ministers responsible for Industry are held under the aegis of UNIDO though now there are proposals to have it held under the AU. On the other hand, Science and Technology matters are handled by different Ministers. It is thus felt that there is need to unbundle the STC in order for it to be transformed into a focused organ that deals with important programmes within the purview of different ministries in Member States and departments within the AU Commission.

v) Committee on Transport Communications and Tourism

19. This committee, in its current form, incorporates a number of sectoral ministries and it is not practical to meet as one STC. It is argued that though tourism is the single most significant sector permeating the entire socio-economic environment of African societies (transport, ICT, hospitality, culture, physical environment, entertainment, etc) contributing substantively to GDP growth, income generation, employment and, hence, poverty eradication. Further, it is a fast growing sector and important revenue earner in African Countries and has immense potential in terms of contribution to micro and macro-economic growth. It is, therefore, a sector that needs special focus and should be institutionalised as an STC.

20. Furthermore, the issue of ICT as an important sector needs to be considered. There is therefore need for an STC, which will promote improved industrial performance in Africa, foster partnerships, integration and synergy. In order to do this it is proposed to desegregate transport, energy and communication from tourism to make it more practical and meet the challenges that the current STC might not be able to address.

vi) Committee on Health, Labour and Social Affairs

21. This Committee, in its current form, incorporates a number of sectoral ministries and it is not practical to meet as one STC. It has also been recognised that Labour and Employment on the one hand and Social Development on the other are two different issues, which need to be dealt with separately and not as a unified entity. This concern is further compounded by the fact that issues of health have been lumped together with labour and social affairs, which makes it almost impossible to operationalise this STC.

vii) Committee on Education, Culture and Human Resources

22. The major concern with this STC is that it is composed of activities undertaken by different Ministries in Member States as well as different departments within the Commission. The Department of Social Affairs, for instance, deals with Culture whilst the Department of Human Resources Science and Technology deals with Education and Human Resources. Further the mandate of the AU on promotion of culture, cultural integration and the African Renaissance far exceeds the scope of the cited STC hence the need to reconfigure it.

D. CHALLENGES, CONSTRAINTS AND NEED FOR RECONFIGURATION

23. Having looked at each STC in turn it is necessary to provide a general overview of the problems with the current configuration.

24. Though Article 14(1) of the Constitutive Act of the African Union provides for the establishment of seven (7) STCs, important functions of the Commission such as Political Affairs, Water Resources, Public Service, Defence, Legal, Women, Gender and Development affairs are not provided for even though these are important areas that are addressed by various departments within the African Union and for which the policy organs have identified as meriting consideration as STCs.

25. Bearing this in mind, it was deemed necessary to consider what the need for reconfiguration could be in order to avoid a situation were STCs are created simply to streamline them with the existing activities of the African Union.

26. In this regard, and as indicated above, it was observed from the outset that the number and configuration of the STCs in their current form are not compatible with the Portfolios of the Commission and that there is overlap in the Ministerial functions, and as such two or more Ministers and their assistants may be required to be present at each of the meetings, making it administratively and financially impracticable. Additionally, the present format and scope of the STCs do not adequately cover the vision of the AUC and had inadequacies such as recurring overlap of mandates, misplaced links, intersection of some sectors or dealing with issues that are cross cutting and therefore inter departmental in nature within the AU. This leads to duplication of work, makes it difficult to plan and pitches some Departments at cross-purposes.

27. Based on the fact that the current STCs do not cover all sectors and are imbalanced in terms of the number of sectors covered and the priorities accorded these sectors, it is pertinent to reconfigure the STCs and in the process review the areas of competence of the current STCs. The review should succeed in striking a balance in the functions of the priority sectors in certain areas of competence and lead to proposals for STCs. Any reconfiguration requires a professional approach that takes into consideration the existing constraints and challenges.

28. The configuration proposed below took into account the following considerations:

- i) The present ministerial conferences should be absorbed into the new STCs so as to ensure coherence in the follow-up process of the reports emanating from the various meetings;
- ii) The ministerial meetings should be organized in such a manner as to ensure that the composition of delegations from Union members is limited to where possible one Minister, while meetings at official level may include representatives of more than one ministry;
- iii) Given the overall objective of accelerating continental integration and the importance attached to the effective implementation of programmes and projects of the Union, the STCs should meet as often as necessary;
- iv) The STCs should be configured in such a manner as to work closely with the Commission in the identification of subject matters for deliberations and further studies, and in the preparation and implementation of decisions, programmes and projects;
- v) Allow for major sectors to meet individually and also within flexible time bands;
- vi) Ensure as much as possible that no one sector is overloaded by giving it a larger portfolio to coordinate whilst ensuring that the result is not to unwittingly neglect or fragment related sectors;
- vii) The structure of the STCs should be such that they cover all technical subject matters within the competence of the Portfolios of the Commission, but not necessarily identical;
- viii) Create fewer STCs supported by sub-committees and in the process make the meetings cost effective by reducing their frequency;
- ix) Each STC that is reconfigured must be a competent technical committee that will guide, advise and call for action from the AU Organs, Member States and all stakeholders.

E. DECISIONS OF POLICY ORGANS, SUBMISSIONS RECEIVED FROM VARIOUS SECTORAL MINISTERIAL CONFERENCES AND DEPARTMENTS ON RECONFIGURATION

29. It is important to note that the various submissions from departments are based largely on decisions adopted by policy organs recognising the need to put in place STCs for identified sectors in order to crystallise and focus attention on specific development challenges. The proposals also took into account the experiences of the departments in organising various Ministerial meetings for many years. The proposals for reconfiguration are as follows:

i. STC on Agriculture

30. Issues on land tenure have often led to destabilisation of Africa as nations have gone to war to claim and reclaim land. It is also an acknowledged fact that hunger resulting from under utilised or arid land has led to famines, drought and loss of life both human and animal. The need to recapture the role of Agriculture to boost Africa's economy requires sound policies and implementation plans which need to be reviewed and revised on a regular basis. This will be done by cementing the relationships between the proposed STC and bodies dealing directly with agriculture in the RECs and in Member States.

ii. STC on the Environment

31. This proposal is based on, amongst others, the fact that the Heads of State and Government at the Summit on the Action Plan of the Environment Initiative of New Partnership for African Development, held in Maputo invited the African Ministerial Conference on Environment to play the leading role and to regularly review the implementation of the Action Plan of the Environment Initiative of NEPAD so as to contribute to sustainable development of Africa. To this end, it adopted the Constitution of the AMCEN as the ministerial authority for environment for the Africa Region. This STC will play an invaluable role in directing environmental policy matters in Africa and address the increasing environmental threats Africa is facing.

iii. STC on Water

32. During the 2005 meeting of African Ministers responsible for water held in Johannesburg, in 2005, the Ministers reiterated their concern about the water situation in Africa, and recognised the need to provide adequate water supply as well as sanitation services to the people of Africa. They also recalled the Declaration adopted in Bonn, Germany on 7 December 2001 and the Abuja Declaration of 30 April 2002 on Fresh Water and resolved to set up a Ministerial Conference on Water. Its focus would be to provide political leadership, advocacy and coordination to implement the African Water Vision adopted during the 2nd World Water Forum held at The Hague in March 2000.

iv. STC on Culture and Sports

33. It is recognised that culture and sports can be used to promote development, integration and unity amongst the people. To this end, in the 1990s, the African Ministers of Culture began to meet on a regular basis to consider various cultural issues., The 1st Pan African Cultural Congress was convened In November 2006 during which far-reaching issues on culture in Africa were addressed. Closely linked to culture is sport. For many years sport was addressed together with Youth and it was thus quite common to have Ministries of Youth and Sport in most Member States. The eminent problem with this construction is that Youth began to relate more to sport as a means to an end as opposed to aspiring for mentally challenging success. Culture in itself is an education and sport develops the body and mind. In 2003, in Maputo, the African Union Ministers of Sport called for a specific Ministerial Conference on Sport. However, taking into account the cost implications and the relatedness of the two, it is proposed that there should be one STC for Culture and Sports.

v. STC on Integration

34. The proposed Conference of Ministers in charge of Integration is based on the fact that integration has been adopted as a viable strategic option to revitalizing economic growth and development in Africa.

35. To augment this position, by Decision Assembly/AU/Dec.113 (VII) the 7th Ordinary Session of the Assembly in Banjul, The Gambia, in July 2006 decided, *inter alia*, “to institutionalise the Conference of Ministers in charge of Integration which would meet at least once a year in ordinary session and in extra-ordinary session when necessary pending the rationalization of the Specialised Technical Committees”.

vi. STC on Trade

36. As an organ of the AU the mandate shall be to contribute towards making Africa a significant and competitive trading partner in the global economy as well as an integrated trading bloc on the continent. The STC on Trade will give the necessary orientations to the Commission, RECs and Member States to ensure the development of means and strategies to promote and diversify trade to overcome the impediment to a higher level of intra-African Trade as well as gain access to global markets for African products. It will cover areas such as goods and services, barriers to trade including issues of investment, import and export, insurance and distribution.

vii. STC on Tourism

37. It has been argued that there is need for a distinct STC on tourism. This is because tourism is the single most significant sector permeating the entire socio-economic environment of African societies (transport, ICT, hospitality, culture, physical environment, entertainment, etc) contributing substantively to GDP growth, income generation, employment and, hence, poverty eradication. Further, it is a fast growing

sector and important revenue earner in African Countries and has immense potential in terms of contribution to micro and macro-economic growth. It is, therefore, a sector that needs special focus and should be institutionalised as an STC.

viii. STC on Industry

38. This STC will ensure the diversification of African Economies through industrialisation. It will focus on industrial policies, strategies and initiatives aimed at facilitating regional integration, building productive capacities and complying with national standards and requirements. It will further promote approaches that identify a workable strategy to improve industrial performance in Africa, foster partnerships, integration and synergy.

ix. STC on Gender and Women Empowerment

39. It is recognised that the Executive Council at its Eighth Ordinary Session held in Khartoum, The Sudan, by way of Decision EX.CL/Dec. 252(VIII), adopted the recommendation that the “Conference of AU Ministers responsible for Women and Gender be held regularly and that the Institutionalisation of the Conference be carried out in line with the process of establishing the Specialised Technical Committees”. Further, the First African Union Conference of Ministers responsible for Women and Gender held in Dakar Senegal in October 2005, called upon the policy organs of the Union to ensure that the Conference of AU Ministers responsible for Women and gender is institutionalised as a monitoring mechanism for the implementation of the Solemn Declaration on Gender in Africa (SDEGEA). Against the above, the STC is intended to address the generic poor status of African Women with the attendant manifest marginalisation high vulnerability and wide gender inequalities.

x. STC on Justice and Legal Affairs

40. This proposal is based on Council's approval in decision EX.CL/Dec.129 (V), of 2004, of the recommendation of the Meeting of the Permanent Representatives Committee and Legal Experts on the Review of OAU/AU Treaties, for the creation of a Specialised Committee for Legal Affairs to discuss various aspects relating to legal issues in the continent as well as emerging legal issues affecting the integration process on the continent. This STC would also link seamlessly with the proposed AU Commission on International Law, and appropriately constitute the AU mechanisms for continuous review of existing treaties, identifying new areas for conclusion of new treaties as well as advise member States and the Union on important legal developments calling for a collective African response.

xi. STC on Labour and Employment

41. The 1980 Structural Adjustment Programmes propagated for most African Countries by the World Bank and the IMF led to wide-spread loss of formal employment in the continent. As part of the so-called reform programmes African Governments began to streamline their operations and in most instances merged

Ministry of Labour and Social Affairs. Closely aligned to this the activities previously handled by Social Affairs were then linked to the OAU labour Commission. The existing Labour and Social Affairs Commission encompasses a number of sectoral ministries and it is no longer practical to meet the aspirations of our people particularly the Youth. It has been agreed that Labour, Employment and Social Development can no longer be dealt jointly.. It is thus proposed that an STC on Labour and Employment be created to allow for more rationalised meetings.

xi. STC on Health and Population

42. Currently the African Union Conference of Ministers of Health, which convenes at Ministerial level once every two years, handles health matters. Two closely related bodies, namely, the African Population Commission and the Ministerial Conference on Housing and Urban Development were created in 1994 and 2005 respectively. A close study of the three bodies reveals that combining them would enhance their supportive role and lead to a process where they can be dealt with in nexus. It is thus proposed that the African Union Conference of Ministers of Health, the African Population Commission and the African Ministerial Conference of Housing and Urban Development be configured into the Health and Population STC.

xii. STC on Migration and Development

43. The Labour and Social Affairs Commission also currently addresses issues of migration. In 2005 the Labour and Social Affairs Commission reviewed a document on the Strategic Framework for a Migration Policy in Africa. It was later discovered that the Ministerial Conference on Migration and Development should have been the rightful organ to consider a policy document. This one incident portrays the difficulties inherent with the management and coordination of this relevant yet difficult area. For vast periods of time, migration was viewed as a security issue but with globalisation and the need for integration, migration is now considered a developmental issue and as such it can no longer be viewed as a matter that can be adequately dealt with under the Labour and Social Commission. It is therefore proposed that an STC on Migration and Development be established which will, *inter alia*, follow up on the Ministerial Meetings between the European Union and the African Union on issues of Migration and Development.

xiii. STC on Public Service

44. It has been argued that developments on the continent over the past decade in respect of democracy, human rights issues and pressure for African States to guarantee basic rights and social services to their citizens, have led to the need for meetings to be held in a more focused manner. It was further observed that the problems attendant in the public service including corruption, lack of transparency, accountability and failure to deliver on services have necessitated the need to reconfigure the AUC approach to these matters. Further, Paragraph 6 of Council Decision EX.CL/Dec.243 (VIII) adopted at the Eight Ordinary Session held in Khartoum, Sudan, provided amongst other things that “the institutionalisation of the

Conference of Ministers of Public Service be carried out in line with the process of establishing the Specialised Technical Committees (STCs)".

xiv. STC on Refugees and IDPs

45. The problem of refugees has become a common feature in Africa. People have become refugees as a result of civil conflicts, disasters, insecurity and violations of human rights. This has led to loss of life, threat to physical safety, and denial of the refugees and denied them of universal human rights to which they are entitled. The African Union has made commendable progress in developing the legal frameworks aimed at protecting and assisting refugees and IDPs in collaboration with other international bodies. However a lot still remains to be done. In recognition of this need, the Ninth Ordinary Session of the Executive Council held in Banjul, The Gambia, by way of Decision EX.CL/Dec.289 (IX), called for the "institutionalisation of the Ministerial Conference on Refugees, Returnees and Internally Displaced Persons, to meet biannually without prejudice to the process of establishing the Specialised Technical Committees". It is against this background that it is proposed to establish an STC to deal specifically with refugees.

xv. STC on Social Affairs and Drug Control

46. Social development issues that relate to children, family, people with disabilities, the aging, women and drug control were prior to 1995 dealt with by the African Ministers of Social Affairs (AMSA). With the merger of the Labour Commission with AMSA the greatest concern has become how possible it is for Ministers responsible for Labour and Employment matters to positively and meaningfully resolves social issues. At the 17th Meeting of the ARI Governing Board held in Niger in April 2006 a recommendation was made to split the LSAC to ensure that social issues are considered in a pragmatic manner. It is important to recall that whereas drug related issues were initially part of the LASC since 2002, a Ministerial Meeting dealing with drug related issues has been institutionalised and it meets every two years. It is thus proposed that an STC on Social Affairs and Drug Control be established which will allow for concerted and focused approach to social and drug related issues.

xvi. STC on Youth

47. The proposed STC will consider and approve policies and programmes for the development of youth in Africa who constitute about 60% of the African Population. It will also encourage and monitor the ratification and implementation of the African Youth Charter (Doc.EX.Cl/262 (IX), which was adopted by the Assembly in July 2006 in Banjul, The Gambia, by virtue of Decision Assembly/AU/Dec.121 (VII).

xvii. STC on Transport

48. The Assembly meeting in Banjul, The Gambia in July 2006, endorsed Council Decision, **EX.CL/Dec. 294 (IX)** relating to the recommendation by African Ministers

responsible for Railway Transport calling for implementation of the decision on the regularisation of the Conference of African Ministers responsible for Transport as an STC. Further, the Executive Council meeting in Sirte, Great Libyan Jamahiriya, in July 2005 by virtue of decision **EX.CL/Dec. 199 (VII)**, endorsed the ***Declaration of the African Ministers responsible for Transport and Infrastructure on Transport and the MDGs***, which called for, among other things, the recognition of the Conference of African Ministers responsible for Transport as an organ of the African Union. This STC would be responsible for coordination and harmonisation of policies and programmes of the Union in all sub-sectors, modes and aspects of transport in Africa as well as providing a forum for various transport stakeholders to discuss policies and strategies and exchange experiences regarding all emerging issues in the sector.

xviii. STC on Education

49. This proposal is based on the Plan of Action of the Second Decade of Education which was adopted by the January 2006 Summit held in Khartoum Doc. EX.CL/224(VIII) Rev.2. The mandate of the STC will be to address all issues relating to education, including the policies, programmes and activities of the of the AU as well as the implementation of the Plan of Action.

xix. STC on Science and Technology

50. This STC will oversee the implementation of Africa's Consolidated Plan of Action for Science and Technology which was approved at the January 2006 Summit in Khartoum (Doc. Ex.CL.224 (VIII)). The STC will also have the mandate to oversee the promotion, co-ordination and the strengthening of science and technology programmes for the accelerated economic growth of Africa.

xx. STC on ICT

51. The Assembly meeting in Banjul, The Gambia, in July 2006, endorsed Council Decision, **EX.CL/Dec. 291 (IX)**, relating to the recommendation by African Ministers responsible for Information and Communication Technologies (ICT) requesting that their Conference be recognized as an STC. This STC would be responsible for coordination and harmonisation of policies and programmes of the Union in all sub-sectors and aspects of communication and ICT in Africa, as well as providing a forum for various communication and ICT stakeholders to discuss policies, strategies and exchange experiences on all emerging issues in the sector. It would also oversee the implementation of the African Regional Programme for the Knowledge Economy, which arises from the World Summit on Information Society per DOC.EX.CL/261(IX)

F. CONCLUSION AND RECOMMENDATIONS

52. Based on the foregoing, the Commission proposes reconfiguration of the STCs set out in Article 14 of the Constitutive Act from 7 to 19. In order to ensure that the financial implications are not increased substantially because of the increased number of STCs, it is proposed that the periodicity of the meetings be considered. In this

regard, the financial implications are given on the basis of STCs meeting once a year or once every two years. In the event of the latter option being more preferable, a few of the STCs could meet on an exceptional basis in the alternate year in extra ordinary session.

53. The commission was of the view that if all the decisions of the policy organs and the recommendations of Ministerial Conferences and Departments were taken into account, there would be twenty two (22) STCs, which would have enormous financial implications. In addition, by taking into account related functions, the proposed STCs could be logically reduced further.

54. Accordingly, the Commission whilst drawing attention to the provisions of Article 14 (2) of the Constitutive Act, which allows restructuring of existing committees and establishment of new ones, recommends the following committees for consideration of Council and the Assembly:

- 1) Committee on Agriculture and Rural Development
- 2) Committee on Environment
- 3) Committee on Water
- 4) Committee on Youth, Culture and Sports
- 5) Committee on Finance and Economic Planning
- 6) Committee on Integration
- 7) Committee on Trade
- 8) Committee on Transport and Tourism
- 9) Committee on Industry
- 10) Committee on Gender and Women empowerment
- 11) Committee on Justice and Legal Affairs
- 12) Committee on Labour and Employment
- 13) Committee on Health and Population
- 14) Committee on Migration and Urban Development (This Committee could also deal with Refugees and IDPs)
- 15) Committee on the Public Service, Local Government and Decentralisation
- 16) Committee on Social Affairs
- 17) Committee on Education
- 18) Committee on Science and Technology
- 19) Committee on Communication and ICT
- 20) Committee on Energy.

G. FINANCIAL IMPLICATIONS

55. Based on the above proposals, the Commission has analysed the financial implications and prepared the budget projections on the following assumptions:

a. **Annual Sessions**

If all the STCs hold annual sessions, the financial implications would be USD \$ 1,229180 per annum based on US\$61,459 per session X number of STCs sessions planned for the year

b. **Sessions once every two years**

If the sessions of the STCs are held in alternate years, the financial implications would be USD\$ 614,590 per annum. However, it should be borne in mind that there may be some exceptions, as some STCs may, by the nature of their activities or previous decisions of the Assembly, need to meet annually.

H. ROLE OF THE COMMISSION

56. The Commission will be responsible for convening and servicing all the meetings of the STCs in order to ensure synergy with other AU organs and institutions and ultimately with the Executive Council. This will be a requirement and precondition for recognition and continuance as a Specialised Technical Committee in accordance with Article 5(2) of the Constitutive Act. In performing its role, the Commission may collaborate, as may be appropriate, with other partners and stake holders.

I. COORDINATING MECHANISM

57. In order to ensure that the various STCs take a global view of the policies, programmes and activities of the Union, it is proposed that the Bureaus of the various Ministerial Committees should meet together once every year. . In addition, it is proposed that the Chairpersons of the various STCs should attend the sessions of the Executive Council and be available for consultation. The financial implications for one meeting of the Ministerial Bureaus would be USD\$ \$61,459 per session.

G. IMPLEMENTATION OF DECISION EX.CL/Dec.420 (XIII)

58. Pursuant the Decision EX. CL/Dec.420 (XIII) adopted by the Executive Council during its thirteenth Ordinary Session held in Sharm El Sheik, Egypt in June 2008, the present report on the Specialised Technical Committees (STCs) was reviewed by a meeting of the PRC and the Commission held on 27 November 2008 in Addis-Ababa (Ethiopia).

59. At that meeting, proposals were made for reconfiguration of the STCS taking into account related sectors in order to reduce the number and therefore the costs involved. Ten members of the PRC upon request made at that meeting submitted written proposals for reconfiguration which ranged from 10 (one Member State) to 17 (one Member State) STCs. Majority of the submissions were between twelve and fourteen STCS

60. In light of the outcome of the discussions of the PRC and Commission meeting, all departments were required to reconsider and submit new proposals to the Office of the Legal Counsel. These proposals were reviewed in a meeting of Directors held on 4 December 2008.

61. The proposals made by the meeting of Directors were submitted to a meeting of Members of the Commission (elected officials) during its meeting held on 2nd December 2008 and again during its meeting held on 9th December 2008, which reviewed the number and configuration of the Specialized Technical Committees on the basis of the proposals of the meeting of Directors and agreed on final proposals to be submitted to the African Union Policy Organs through the PRC. Based on the proposals made by the PRC during this meeting, the STCs have been reconfigured by merging some sectors, which could conceivably work together. In so doing, the number of STCs has been reduced from 20 to 14 STCs including one on Defense as proposed during the PRC meeting. The new configuration and nomenclature that was arrived at following the various inputs is as follows.

**PROPOSED RECONFIGURATION OF THE STCs TAKING INTO
ACCOUNT THE PROPOSALS SUBMITTED BY PRC AND BY COMMISSION**

- 1) Committee on Agriculture, Rural Development, Water and Environment;
- 2) Committee on Finance, Monetary Affairs, Economic Planning and Integration;
- 3) Committee on Trade and Industry and Minerals;
- 4) Committee on Transport, Transcontinental and Interregional Infrastructures, Energy and Tourism;
- 5) Committee on Gender and Women empowerment;
- 6) Committee on Justice and Legal Affairs;
- 7) Committee on Social Development, Labour and Employment;
- 8) Committee on the Public Service, Local Government, Urban Development and Decentralisation;
- 9) Committee on Health, Population and Drug Control;
- 10) Committee on Migration, Refugees and IDPs;
- 11) Committee on Youth, Culture and Sports;
- 12) Committee on Education, Science and Technology,
- 13) Committee on Communication and ICT
- 14) Committee on Defence, Safety and Security.

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