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**EXECUTIVE COUNCIL**  
**Eleventh Ordinary Session**  
**25 – 29 June 2007**  
**Accra, GHANA**

**EX.CL/331(XI)**

**REPORT OF THE SUB-COMMITTEE ON STRUCTURAL  
REFORMS ON THE STRUCTURE OF THE COMMISSION**

**REPORT OF THE PRC SUB-COMMITTEE ON STRUCTURAL REFORMS:  
SUMMARY CONCLUSIONS OF THE MEETING HELD ON 12<sup>TH</sup> APRIL, 2007  
AND MINUTES OF THE MEETING HELD ON 14<sup>TH</sup> JUNE, 2007.**

**ATTENDANCE (12<sup>th</sup> APRIL, 2007)**

**- MEMBERS OF THE BUREAU**

a. Mozambique	Chairperson
b. Sudan	1 <sup>st</sup> Vice Chairperson
c. Chad	2 <sup>nd</sup> Vice Chairperson
d. Senegal	3 <sup>rd</sup> Vice Chairperson
e. Libya	Rapporteur

**OTHER SUB-COMMITTEE MEMBERS**

Nigeria, Algeria, Swaziland, Zimbabwe  
Burundi, Kenya and Equatorial Guinea

**ATTENDANCE (14<sup>th</sup> JUNE, 2007)**

**MEMBERS OF THE BUREAU**

a. Mozambique	Chairperson
b. Sudan	1 <sup>st</sup> Vice Chairperson
c. Chad	2 <sup>nd</sup> Vice Chairperson
d. Senegal	3 <sup>rd</sup> Vice Chairperson
e. Libya	Rapporteur

**OTHER SUB-COMMITTEE MEMBERS**

Benin, Burkina Faso, Nigeria, Algeria, Swaziland, Zimbabwe and  
Burundi.

**INTRODUCTION**

1. The Chairperson of the Sub-committee welcomed and thanked the members present for their support. He confirmed the quorum and the meeting proceeded to deal with the business as stipulated in the draft agenda as follows:

**DRAFT AGENDA**

1. Adoption of the agenda
2. Adoption of the Draft Structure Report of the African Court on Human and Peoples' Rights (Part C volume I)
3. Consideration of the Proposed Structure (Part C Volume II)

4. Any Other Business

## II. ADOPTION OF AGENDA

2. The Chairperson introduced the draft agenda and the meeting agreed to adopt it.

## III. ADOPTION OF THE DRAFT REPORT ON THE STRUCTURE OF THE AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS (PART C VOLUME I):

3. The Court requested the following structure:

- **OFFICE OF THE PRESIDENT**

### **PRESIDENT OF THE COURT**

### **Proposed Grade**

Salary and remuneration to be the same as the Chairperson of the AUC which is D1 step 10 basic salary increased by 50% + 40% Post adjustment + Dependent (Spouse & maximum of 4 Children) Allowance as per AUC rate + AUC Standard Education Allowance up to a maximum of 4 children up to the maximum age of 21 years)

1 x Special Assistant  
1 x Private Secretary  
3 x Security Guards  
2 x Drivers  
1 x Messenger  
5 x Domestic Staff

P5  
GSA6  
GSB8  
GSB7  
GSB6  
GSB5

- 1 x REGISTRAR (D1)
- 1 x DEPUTY-REGISTRAR (P5)

- **LEGAL MATTERS**

### **Proposed Grade**

- 1 x Principal Legal Officer
- 1 x Senior Legal Officer

P4  
P3

• 2 x Legal Officers	P2
<b>• LINGUISTIC MATTERS</b>	
	<b>Proposed Grade</b>
• 4 x Interpreters	P4
• 2 x Translators	P4
• 2 x Revisors	P 4 (Higher step)
<b>• COMMUNICATION AND INFORMATION</b>	
	<b>Proposed Grade</b>
1 x Principal Comm. and Info. Officer	P4
1 x Senior Comm. & Info. Officer	P3
<b>• PROTOCOL SERVICES</b>	
	<b>Proposed Grade</b>
1 x Senior Protocol Officer	P3
1 x Protocol Officer	P2
<b>• LIBRARY AND DOCUMENTATION</b>	
	<b>Proposed Grade</b>
1 x Senior Librarian	P3
1 x Documentalist	P2
<b>• FINANCE</b>	
	<b>Proposed Grade</b>
1 X Senior Finance Officer	P3
1 X Finance Officer	P2
1 X Assistant Accountant	GSA5
<b>• HUMAN RESOURCES MANAGEMENT</b>	
	<b>Proposed Grade</b>
1 x Senior Personnel Officer	P3
1 x Personnel Officer	P2
1 x Administrative Assistant	GSA5
<b>• PUBLICATIONS</b>	
	<b>Proposed Grade</b>
1 x Senior Publications Officer	P3
1 x Publications Officer	P2

- **INFORMATION TECHNOLOGIES**

	<b>Proposed Grade</b>
1 x Systems Administrator	P3
1 x Website and Software Specialist	P2

- **ARCHIVES, INDEXING AND DISTRIBUTION**

	<b>Proposed Grade</b>
1 x Senior Archives Officer	P3
1 x Indexer	P2
1 x Distribution Clerk	GSA3
1 x Filing Clerk	GSA3

- **TYPING AND REPRODUCTION**

	<b>Proposed Grade</b>
4 x Text Correctors	P2
1 x Head Secretary	GSA6
6 x Secretaries	GSA4
2 x Reproduction Clerks	GSA3

- **GENERAL ASSISTANCE**

	<b>Proposed Grade</b>
1 x Chief Security Service	P3
2 x Court Clerks	GSA3
2 x Receptionists	GSA2
8 x Security Guards	GSB8
2 x Driver/Messengers	GSB7
1 x Messenger/Usher	GSB7
2 x Cleaners	GSB6

**TOTAL STAFF COMPLEMENT REQUESTED (EXCLUDING JUDGES): 78**

- **REMUNERATION OF THE VICE PRESIDENT AND JUDGES OF THE COURT**

4. Other Judges of the Court shall not be required to stay in Arusha on full time basis. The Judges shall be required to travel and stay in Tanzania during Court sessions. Between sessions however, the vice President and Judges may be required to carry out assignments. The request therefore is to pay the Vice President and Judges Honoraria based on the highest DSA rate paid by the African Union Commission to top experts (eg. for its recruitment function) plus an additional amount due to the fact the Members are also top caliber judges and most importantly are elected officials of an Organ. Accordingly:

- a) An honorarium of US\$500 per day is proposed for the Judges of the Court during Court Sessions;
- b) Forty percent (40%) of Ninety percent (90%) of the salary of the President is proposed as monthly salary for inter-sessional work; and
- c) Ten percent (10%) of Ninety percent (90%) of the salary of the President is proposed as monthly Judicature allowance.

### **DECISION:**

5. The Sub- Committee agreed to recommend for approval the following, which is deemed to be the critical minimum requirement for the court to start with.

#### **A. President of Court**

- Emolument on the basis of (D1 Step 10 + 15%) + 40% Post Adjustment + Dependent (Spouse & maximum of 4 Children) Allowance as per AUC rate + AUC Standard Education Allowance up to a maximum of 4 children up to the maximum age of 21 years)
- One Official Car + driver GSB7
- One Service Car + driver GSB7
- Free Utilities (Water and Electricity)
- Free Telephone (Official Purpose only)
- Two Household staff
- Two Security Guards GSB8
- Host Country to provide Free furnished house and security services

***Summary: Four (4) Staff at the residence of the President***

#### **B. Office of the President**

- One Special Assistant P3 Level
- One Private Secretary GSA5
- Two Drivers
- One Messenger GSB6

***Summary: Five (5) Staff at the Office of the President***

#### **C. Vice President & Judges**

- The Sub-Committee approved the request on the remuneration of the Vice President and Judges of the Court as follows:
- An honorarium of US\$500 per day is approved for the Members of the Court during Court Sessions;
- Thirty percent (30%) of Ninety percent (90%) of the salary of the President is approved as monthly salary for inter-sessional work; and
- Ten percent (10%) of Ninety percent (90%) of the salary of the President is approved as monthly Judicature allowance.

**D. Office of Registrar**

- One Registrar P6
- One Deputy Registrar P5
- One Secretary GSA4
- One Mail Runner GSB7

**Summary: Four (4) Staff at the Office of the Registrar**

**E. Legal Matters**

- Two Senior Legal Officers P3
- Two Legal Officers P2

**Summary: Four (4) Staff at the Legal Office**

**F. Linguistic Matters**

- Four Translators/Interpreters P4 level (One for each Language).

**Summary: Four (4) Staff at the Linguistics Office**

**G. Information, Communication and Technology**

- Information & Press - One Senior Comm. & Information Officer P3
- Information Technologies (IT) - One ICT Specialist P2

**Summary: Two (2) Staff at the ICT Office**

**H. Protocol Services**

- One Protocol Officer P2
- One Protocol Assistant GSA5

**Summary: Two (2) Staff at the Protocol Services Unit**

**I. Library & Documentation - Archives, Indexing and Distribution**

- One Librarian P2
- One Documentalist P1
- One Filing Clerk GSA3
- This Unit will also handle any activity of Publication of the Court.

**Summary: Three (3) Staff at the Protocol Services Unit**

**J. Finance & Accounting**

- One Finance Officer P2
- One Assistant Accountant GSA5

**Summary: Two (2) Staff at the Finance and Accounting Unit**

**K. Human Resources Management**

- One HR Officer P2
- One Administrative Assistant GSA5
- One Filing Clerk GSA3

**Summary: Three (3) Staff at the Human Resource Management Unit**

**L. Typing and Reproduction**

- Four Secretaries GSA4 (one for each Language)
- One Reproduction Clerk GSA3

**Summary: Five (5) Staff at the Typing and Reproduction Unit**

**M. General Assistance**

- One Security Supervisor GSA5
- Two Court Clerks GSA3
- One Receptionist GSA2
- Two Security Guards GSB8,
- One Driver/Mail Runner GSB7
- One Cleaner GSB6

***Summary: Eight (8) Staff at the General Assistance Unit***

**TOTAL STAFF COMPLEMENT APPROVED: 46**

6. In approving the above structure for the Court, the Sub-Committee informed itself and agreed further that:

- i. the reason given by the Court that the President of the Court should be remunerated at the same rate as the Chairperson of the AUC because the Court is an organ like the AUC is not tenable;
- ii. Common and overlapping services like IT and Communications, and Library, Documentation, Archiving and Indexing be merged and their staff compliments maximized to save cost;
- iii. As far as possible, recruitment for the positions approved should be on a progressive and needs- driven basis; and
- iv. the clarification made by the Ambassador of the United Republic of Tanzania on the privileges and hospitality to be accorded to the President of the Court is relevant. In line with those clarifications, the sub-Committee noted that the requests made in the Court's submission for salaries, benefits, etc are to be considered without reference to what the Government of the United Republic of Tanzania shall extend to the Court through the Host Country agreement as privileges/ hospitality.

**IV. CONSIDERATION OF THE PROPOSED STRUCTURE (PART C - VOLUME II)**

7. Following presentation by the Commission, the Chairperson led the Sub-Committee through the submissions for structural changes as contained in Volume II (Part C) and the DECISIONS taken on each of the requests made are as follows:

**I: DEPARTMENT OF SOCIAL AFFAIRS****a. Secretariat of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC)**

8. The Commission requested the following positions:
- One position of Secretary to ACERWC (P5)
  - One position of Snr. Legal Officer (P3)
  - One Position of Snr. Social Worker (P3)



- One Position of Policy Officer, Social Work (P2)
- One position of Legal Officer (P2) and
- One position of Secretary (GSA4)

**DECISION:**

9. The sub-committee agreed to recommend for approval the positions of Secretary to ACERWC (P5) and Senior Social Worker (P3) only. The Sub- Committee considers the LEGAL positions requested not necessary considering the fact that there is an office of Legal Counsel in Headquarters, which should be able to handle all legal matters pertaining to this new Secretariat.

**b. Secretariat of AIDS WATCH AFRICA (AWA) and Division of HIV/AIDS, Malaria, Tuberculosis and Other Infectious Diseases.**

10. The Commission requested the following positions:
- One Head of Secretariat (P5)
  - Two Principal Health Officers (P4)
  - Two Senior Health Officers (P3)
  - Two Health Officers (P2) and
  - Secretary (GSA4)

**DECISION:**

11. The sub-committee agreed to recommend for approval the positions of Head of Secretariat (to be re-named: Head of Division)- P5 and two (2) positions of Health Officer (P2). The Sub- Committee considers the other positions requested as not critical for the Secretariat to start with.

**c. Division of Culture and Sports.**

12. The Commission requested the following:
- One new position of Head of Division (P5)
  - The re-deployment of two existing Senior Policy officers (one on Culture and one on Sports) to the new Division.
  - One new position of Secretary.

**DECISION:**

13. The sub-committee agreed to recommend for approval the new position of Head of Division- P5 and the request to internally re-deploy two existing Senior Policy Officers (Culture & Sports).

**d. The Executive Secretariat of the African Academy of Languages.**

14. The Commission requested the Following positions:
- 1 position of Co-ordinator (D1)
  - 1 position of Snr. Progs. and Projects Officer (P5)

- 5 positions of Snr. Research and Prog. Officers (P3)
- 2 positions of Translator/Interpreter (P4)
- 6 Language Translators (P3)
- 1 Finance and Admin. Officer (P2)
- 1 Documentalist / Research Assistant (P2)
- 2 Secretaries (GSA4)
- 1 Secretary/ Receptionist (GSA4)
- 1 Driver (GSB7)
- 1 Driver/ Mail Runner (GSB7)
- 1 Cleaner/ Mail Runner (GSB6)
- 1 Security Guard (GSB8)

**DECISION:**

15. The sub-committee agreed to recommend for approval only positions, which are considered to be the critical minimum requirements for the new office. Furthermore, the status of this new office shall be the same as any other AUC specialized/ technical offices and the sub-committee's recommendation is that recruitment be done on a progressive and needs- driven basis. The positions/ grades recommended are as follows:

- 1 position of Co-ordinator (P6)
- 1 position of Snr. Progs. and Projects Officer (P3)
- 2 positions of Snr. Research and Prog. Officers (P3)
- 4 positions of Translator/Interpreter (P4)
- 1 Finance and Admin. Officer (P2)
- 1 Documentalist / Research Assistant (P1)
- 1 Secretary (GSA4)
- 1 Secretary/ Receptionist (GSA4)
- 1 Driver (GSB7)
- 1 Driver/ Mail Runner (GSB7)
- 1 Cleaner/ Mail Runner (GSB6)

**e. Division of Labour, Employment and Migration**

16. The Commission requested the Following positions:

- Senior Employment Officer (P3)
- Migration Officer (P3)
- Administrative Assistant (GSA 5)

**DECISION:**

17. The sub-committee agreed to recommend for approval the position of Migration Officer (P2) only. It is observed that this Division already has a Senior Officer for employment. The position of Administrative Assistant is deemed not necessary.

**f. Department of Social Affairs: Request for changes without financial implications:**

18. The Department of Social Affairs made the following requests that are deemed to have no financial implications:

- i. The post of Senior Policy Officer (HIV AIDs, & ORID, Nutrition) on P3 to be renamed Senior Health Officer.
- ii. The post of Senior Policy Officer (Population) on P3 to be renamed Senior Health Officer.
- iii. The post of Senior Policy Officer (Employment & Migration) on P3 to be renamed Senior Employment Officer.
- iv. The post of Senior Policy Officer (Sports) on P3 to be re-named Senior Sport Officer.
- v. The post of Senior Policy Officer (Culture) on P3 to be re-named Senior Cultural Officer.
- vi. The Division of Health, HIV/AIDS, ORIDS Population and Nutrition to be renamed: Division of Health, Population and Nutrition.
- vii. The Division of Social Welfare, Culture, Drugs and Related Crimes to be renamed: Division of Social Welfare, Vulnerable Groups and Drug Control.

**DECISION:**

19. The sub-committee agreed to recommend for approval the above request for changes without financial implications on the understanding that the request has no financial implications.

**II. DEPARTMENT OF POLITICAL AFFAIRS  
(Democracy and Electoral Assistance Unit)**

20. The Commission requested the following positions:
- One Head of Unit (P5)
  - Two Senior Political Officers (P4)
  - One Senior Management Officer for the electoral Assistance Fund (P4)
  - Three Political Officers (P3)
  - One Secretary (GSA4)

**DECISION:**

21. The sub-committee agreed to recommend for approval the position of Head of Unit (P3) only. It is observed that the Department of Political Affairs has enough hands on Elections and Democracy matters to enable this unit function effectively.

### III. DEPARTMENT OF ECONOMIC AFFAIRS (Statistics and Database Analysis Unit)

22. The Commission requested the following positions:
- One Head of Unit (P5)
  - One Senior Statistician (P3)
  - Two Statisticians (P2)
  - One Database Administrator (P2)
  - One Secretary (GSA4)

#### DECISION:

23. The sub-committee agreed to recommend for approval, the positions of one Statistician (P2) and one Database Administrator (P1) only. This is considered sufficient to strengthen the existing capacity of the Division, which already has a Head of Division and a Statistician in place. This decision notwithstanding, the Commission may submit again for re-strengthening of this Division once the AFRICAN STATISTICS CHARTER is finalized and adopted.

### V. OTHER RELATED MATTERS

24. The Sub- Committee recommends that no request for Secretary be approved. In this connection, the Commission is advised to make optimum use of its existing Secretaries by adopting the pool system. Furthermore, it is considered that in this age of Information Technology, only people with proficient IT skills should be recruited to minimize the need for Secretaries.

25. The submission of the Protocol Services Division for upgrading from Division to Department (with all the implications of several new positions) was tabled before the Sub- Committee earlier and the decision was that consideration of that request be deferred until next session of the Sub- Committee. Similarly, submissions made in VOLUME. III of Part C have also been tabled BEFORE THE Sub- Committee and the decision is to defer them until the next session of the Sub- Committee.

### VI. GENERAL PRINCIPLES

26. The Sub- Committee advised the Commission to take note and abide by the following principles whenever submitting for changes to the structure:

- i. **COST:** Submissions for changes to the structure should always be made within the most reasonable and cost effective considerations. This is important because the sub- committee shall always be cognizant of the issue of funding constraints;
- ii. **STANDARDS AND BENCHMARKS:** All submissions for changes to the approved structure should be aligned to and comply with the general Human Resource Management standards and benchmarks set for the AUC;

- iii. **AUTHORITY FOR CHANGES TO THE STRUCTURE:** All requests for changes to the structure must be made within the framework of some authority of the Union i.e a Decision of the Executive Council and/or the Summit;
  - iv. **FUNCTIONALITY OF CHANGES:** The Commission should always determine and ascertain the practical functionality of any change proposed to the approved structure; and
  - v. **REQUESTS FOR ADDITIONS TO THE STRUCTURE MUST BE BASED ON CRITICAL MINIMA:** All submissions for additions to the approved structure must be progressive and based on the critical minimum requirement. In other words, all new Units/ Divisions/ Departments proposed must start with the basic minimum staff required for take- off, so that the ideal structure should only be achieved overtime based on the progress and needs of the new creation.
27. The Sub-Committee adjourned at 19:00 hrs.

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