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EXECUTIVE COUNCIL
Thirteenth Ordinary Session
24 – 28 June 2008
Sharm-El-Sheikh, EGYPT

EX.CL/408(XIII)

**REPORT OF THE CHAIRPERSON OF THE COMMISSION ON
THE FOLLOW UP OF DECISIONS OF THE 11TH
EXTRAORDINARY SESSION
OF THE EXECUTIVE COUNCIL**

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INTRODUCTION

1. The Eleventh Extraordinary Session of the Executive Council was held in Arusha Tanzania, from the 6 to 7 May 2008. During the session, the Executive Council considered recommendations from the High Level Audit Panel on the African Union. During the deliberations, the Executive Council resolved that some of the issues were of a purely administrative nature or related to internal procedures and should be referred back to the Commission for the latter to consider, take action and prepare a report to be presented to Council at its Ordinary Session in Sharm El Sheikh, Egypt in June 2008. The Commission was requested to work with the Permanent Representatives Committee (PRC) in preparing the Report for the Council.

2. In implementing the above decision, the Commission has prepared this report. Further, with a view to facilitating consideration of this report, the Commission has reordered the recommendations/decisions of the Executive Council as endorsed by the Committee of 12 Heads of State and Government, into the following categories:

- i) Recommendations of the Audit Panel accepted by Council
- ii) Recommendations of the Audit Panel accepted by Council with amendments
- iii) Recommendations of the Audit Panel Rejected by Council
- iv) Additional matters referred to the Commission and actions taken or to be taken. This category of matters has further been sub-divided into *administrative matters*, *structural matters* and *internal procedural matters*, and, in the process classified them into short term, medium term or long term time lines for achieving the targets set.

I. RECOMMENDATIONS OF THE AUDIT PANEL ACCEPTED BY COUNCIL

3. The Commission in Annex 1 identified the recommendations of the Panel accepted by Executive Council, from a brief analysis of those recommendations, most of them could be implemented almost immediately, once the Assembly adopts them, as recommended by the Committee of Twelve Heads of State and Government at its Arusha meeting on 22 to 23 April 2008. Subsequent to the adoption by the Assembly at its Sharm el Sheikh Session, the Commission working with the PRC will, either implement them or make specific proposals for their implementation.

II. RECOMMENDATIONS OF THE AUDIT PANEL ACCEPTED BY COUNCIL WITH AMENDMENTS

4. The Commission has also, in Annex 2, identified those recommendations of the Audit Panel, which the Executive Council accepted, but with some modifications. Again many of the recommendations in this category could be implemented soon after being adopted by the Assembly. Indeed, action is ongoing on some of them, such as recommendation No. 62 regarding the elaboration of a Gender policy as well as those relating to ECOSOC and the RECs

5. Nevertheless, the Commission wishes to comment on three of the recommendations under this category in order to ensure clarity on them. These are recommendations numbers 40, 83 and 158 concerning, respectively, the length and timing of the mandate of elected officials, the proposal to establish National Commissions on Africa Union Affairs (NCAUA), and on who should be given the responsibility to carry out external auditing of the African union.

6. With respect to the first issue, the Executive Council rejected the Audit recommendations not to hold the election of the Chairperson and the Deputy Chairperson and the Commissioners at the same time, but accepted that the proposed tenure of the elected officials should remain four years. What needs further clarity is whether the four-year mandate shall be renewable once as currently provided for in the Statutes of the Commission. It is recommended that this be explicitly stated.

7. On the proposal to establish a National Commission on African Union Affairs (NCAUA), the Executive Council agreed that it was a good idea but that it should be for the purpose of popularisation of African Union in Member States. The Commission appreciates this position but requests for reconsideration. This is because, as the Audit Panel clearly indicates, the absence of a national body to follow up decisions taken at continental level makes it difficult for those decisions to be implemented. The creation of the NCAUA, which is similar the National Commissions on UNESCO which exist in all Member States, will ensure that all necessary actions required at the national level are brought to the attention of all the national bodies to deal with them. These include the ministry of Justice, Parliament and the other ministries outside the Ministry of Foreign Affairs.

8. Furthermore, the Commission wishes to point out that the NCAUA will come under the Ministry of Foreign Affairs in each Member State. The inclusion of other sectors of the society is to broaden the base for support for African Union, as the National Commission will have a major advocacy role as well. This advocacy role is imperative in order to get the citizens to know their continental Organisation. For these and other reasons, the Commission requests that this recommendation of the Panel be accepted because of the vital role it will play in ensuring that the African Union realizes its objectives.

9. Regarding the issue of external auditors, Council rejected the Audit Panel's recommendations to appoint a reputable audit firm to audit the accounts of the AU organs. Instead it decided that the services of the Auditors General from Member States should be obtained on the 'basis of an open tender. The Commission is in agreement with the Executive Council that the auditing of the accounts of the organs of the Union should continue to be carried out by competent and professional auditors who abound in Member States.

10. However, there will be practical difficulties in selecting them through an open tender basis, because, at least so far, the external auditing of the AU accounts has not been a matter for tendering. Rather, the system in place is one that allows for the participation of all Member States in this important aspect of the work of the Union. The Auditors who are all drawn from Member States serve for two years but could, if their regions reappoint their countries, serve for another two years.

11. The Commission agrees that there is need to improve the system of selecting the auditors by the Member States elected to serve on the Board of External Auditors. There is also need to codify the qualifications and experience of the auditors nominated by Member States. And, the PRC Subcommittee on Administrative, Budgetary and Financial Matters, working with the Commission must be able to examine the credentials of the nominated auditors in order to confirm their suitability or otherwise. In general, nominees from Member States must be professional auditors either in government service or in the private sector, but must have the qualifications necessary for appointment as Auditors General or Deputy Auditors General in their respective countries.

12. Furthermore, Member States must also guarantee that their nominees will serve their terms in full and attend to all the assignments given to them. Any auditor who does not perform the assignment given to him/her should be reported to the Member State concerned and to the Executive Council.

13. One additional recommendation, which will ensure that the auditing system in place works better, is the payment of honorarium to the Auditors. Presently, the members of the Board of External Auditors only receive per diem for their subsistence and travel costs. No remuneration is given for the professional duties they perform and this sometimes accounts for the lackadaisical attitude of some auditors. Many Board members have persistently raised this matter with the Commission and the latter requests that Council considers this issue and approves the payment of honorarium to Members of the Board of External Auditors and to authorise the Commission to effect payment from the Auditing Exercise of 2008.

III. RECOMMENDATIONS OF THE AUDIT PANEL REJECTED BY COUNCIL

14. Some of the recommendations made by the Audit Panel, which were rejected by the Executive Council, are on some very important issues, which, if left untouched, could have some effect on the success of the Union. The Commission had made recommendations of its own on some of these issues. However the Executive Council

could not take them on board during its Extra Ordinary Session in Arusha. The Commission has highlighted these recommendations in Annex III with a view to enabling Council to make another appraisal. Some Include the under listed:

a) **THE SPECIALISED TECHNICAL COMMITTEES**

15. The Audit Panel submitted recommendations 10 and 11 on the STCs, both of which the Executive Council rejected. Instead, Council requested the Commission, working the PRC to, complete the work it had been mandated to do on the rationalization of the STCs and their operationalisation. In this regard, the Commission wishes to submits the following recommendations:

16. The Specialised Technical Committees (STCs) are provided for under Articles 14 and 15 of the Constitutive Act of the African Union. Given the importance attached to the effective implementation of the programmes and projects of the Union, the STCs are viewed as a key link to the actualisation of the said programmes. The Executive Council has thus adopted various decisions on the STCs including Decision EX.CL/DEC.313 (IX) taken in Banjul, The Gambia in July 2006 where the Commission was requested to expedite action on a study on the STCs and report to the Ordinary Session of Council in January 2007.

17. A report on the STCs was presented to the Executive Council in January 2007 in Addis Ababa. Council, by decision EX/CL/DEC.316 (X) took note of the report and requested Member States to carry out internal consultations with the relevant sectors within their countries. Council further decided that the process of internal consultations should be followed by consultations between the PRC and the Commission and that the final proposals should be submitted to the Ordinary Session of Council in July 2007.

18. However, in May 2007 the Executive Council met in Zimbali, South Africa at its Tenth Extraordinary Session and decided that consideration of the Report on STCs be deferred and included rationalisation of the STCs as part of the Terms of Reference of the High Level Panel on the Audit of the Union.

19. The Audit Report proposed in recommendation no. 11 that a Sectoral Council of Ministers substitute the STCs. At the Executive Councils' Eleventh Extraordinary Session held in Arusha Tanzania, in May 2008, Council decided that the STCs should not be replaced by a Council of Ministers but that the Commission and the PRC should meet to consider the proposals and submit a report to the Executive Council in June 2008, in Sharm El Sheikh, Egypt To this end, a meeting of the PRC has been scheduled for 13 June 2008.

20. In this regard, the Commission would work with the PRC with a view to taking another look at the proposals that the commission had presented. These proposals were very comprehensive and took into account the difficulties current STCs were facing, their incompatibility, the fact that virtually all Sectoral ministers already meet on an annual or two yearly basis-some in configuration with ECA, the request by several Sectoral Ministerial Conferences to be constituted into STCs operating under the AU framework

as well as on how to reconfigure the STCs. The proposal was also largely based on previous Council decisions to the effect that some of the Sectoral ministerial conferences be constituted into STCs. It is therefore the commission's view that what needs to be done is to determine the number of STCs to be created and how to provide them with adequate financial resources.

21. Finally on the STCs, the Commission has made proposals on the coordination mechanism which includes attendance of Executive Council meetings by Bureaus of the STCs, in its sessions following those of the STCs, two yearly meetings of the Bureaus of all the STCs including the Executive Council and regular participation of Sectoral Ministers and Officials in their Country delegations when subjects relating to their sectors are on the Agenda of the PRC, the Executive Council and the Assembly. The strengthening of Addis Ababa-based missions by relevant experts will ensure better functioning of the STCs, particularly when the corresponding Departments and Directorates in the Commission are also properly and adequately staffed.

b). DELINKING OF PORTFOLIOS FROM THE ELECTION OF COMMISSIONERS:- NO 38

22. The Executive Council rejected the Panel's recommendation No. 38 which suggested that the election of Commissioners should be delinked from the portfolios they will occupy, and that the responsibility of assigning portfolios to Commissioners should be given to the Chairperson. The decision of the Executive Council in Arusha took into account the requirement of the current Statutes of the Commission that Commissioners should be professionals in their respective areas of competence. Hence, it may be inappropriate for professionals in chosen fields to be shifted to areas in which they may not have the necessary competence. It may be necessary in this regard to review the qualifications of prospective Commissioners to give preference to 'intelligent generalists' in accordance with existing practice in Member States. In this regard, it should be noted that Ministers in Member States, who may be doctors, lawyers, engineers or former military officers are appointed and often assigned to ministries outside the areas in which they qualified, and, needless to say, they have and continue to perform creditably with the support of professionals in the bureaucracies of their various countries. This would then be the case with the Commission.

23. In its comments on the Audit Panel's recommendation, the Commission had argued for this position, considering the need for the Chairperson to be able to make adjustments, which he considers necessary, based on his experience in the life of the Commission. The Commission noted that this is the only organization of its standing in the world where there are so many elected officials. It is recalled that in the OAU days, the Secretary General assigned and reassigned the Assistant Secretaries General and this is also what happens at the national level. Delinking the portfolios in order to enable the Chairperson to make adjustments would enhance the effectiveness of the commission and improve performance, encourage and stimulate efficiency and promote a unified framework of decision making as well as clear lines of authority. This approach would also support recommendation 33 of the Panel Report that was endorsed by the Extra Ordinary Council and the Committee of twelve Heads of State and Government

that 'the Chairperson of the Commission should exercise full authority within the Commission as the Chief Executive and the Accounting Officer'.

Recommendation

24. It is therefore recommended that a second look be taken of this with a view to accepting the Panel's recommendation with the proviso that the Chairperson should only make such change, after consultation with the Chairperson of the Executive Council, who acts on behalf of his colleagues.

c). RATIONALIZATION OF PORTFOLIOS:- NO 39

25. The Executive Council did not approve the recommendation that the Chairperson of the Commission, in consultation with the Chairperson of the Union, should be empowered to rationalize the portfolios of the Commission in accordance with the priorities of the Union. The Commission also had difficulty with the recommendation because it allowed too much fluidity and would not have allowed Member States to pronounce themselves on the proposed changes, as is the case now. The Commission therefore suggested, and hereby reiterates that changes in the portfolios of the Commission should follow the current procedure of making changes in its structure. This begins with detailed submission by the chairperson, which the Executive Council and the Assembly could then pronounce themselves on.

26. Perhaps because of the nature of the debate in Arusha, and the limited time available to the Executive Council, it was not able to examine the proposals the Chairperson of the Commission had made since January 2007, and which he considered as crucial for the better functioning of the Commission and the success of the Union. Consequently, these proposals are reiterated here in a Summary form:

27. Presently, the Commission is not able to function optimally due to a number of factors, including inadequacy of financial resources, limited and ambiguous mandates, incongruity of portfolio contents and inadequate human resources. Within the confines of the above limitations, it is still possible to look into ways and means of ensuring that the Commission is able to effectively exercise its mandate and to efficiently discharge its functions, particularly in the implementation of the decisions and programmes of the African Union through, inter alia, reconfiguration of the Portfolios/Departments and their respective Directorates.

28. The configuration of the current portfolios results in a situation where, because of the wide-ranging nature of their actions and activities falling within their competence, some of the Commissioners cannot carry out all actions and activities expected of them. Many Commissioners while attempting to cover all the grounds have to be perpetually out of Addis Ababa. Secondly, under their current configuration, the expansive and incongruous portfolios of some departments, clearly creates difficulties for effective performance.

29. In addition to efficiently carrying out its activities in the political, economic, social and cultural fields, the structure of the Commission should also ensure an effective involvement of the African Union at international level through close follow up and monitoring of external partnerships and adequate representation in selected countries and Headquarters of international and other regional organizations. This would also facilitate the promotion of common positions among Member States on global issues.

30. There is therefore need to reconfigure the Commission's current Portfolios/Departments and their respective Directorates. The following rearrangements are being proposed for the reconfiguration of Portfolios: Administration and Finance:

- i) Peace and Security/Defense and Security
- ii) Political Affairs
- iii) External Relations/Foreign Affairs
- iv) Infrastructure
- v) Trade and Industry
- vi) Agriculture and Environment
- vii) Social and Cultural Affairs
- viii) Employment, Urban Development and Migration
- ix) Education, Science and Technology
- x) Economic Affairs

31. With the assumption that that one portfolio will be remain with the Deputy Chairperson, this reconfiguration will add only two new positions of Commissioners to the existing establishment.

32. The Office of the Chairperson of the Commission should have the following Directorates: Gender Directorate; Legal Directorate; Directorate for Strategic Policy Planning, Monitoring and Evaluation; Communication and Information Directorate; African Citizenship and Diaspora Directorate; Office of the Secretary to the Commission; Directorate of Protocol Services; Office of Internal Audit; Resource Mobilization Unit; Research and Analysis Unit and NEPAD Unit with each Directorate having the corresponding Directors and Heads of Division and Units.

33. The Chairperson also feels strongly that his office, that of the Deputy Chairperson and the Commissioners should be strengthened to enable them perform better. Among others, he proposed that:

- i) The Deputy Chairperson be provided with three (3) Advisors, on the strength of his wide mandate, which is ideally at the core of the support machinery for the African Union Commission. The Office will be required to wholly support the Chairperson and other Commissioners in their programmes and the Commission agenda and must therefore fully maximize the full potential of the resources available within. The African Union Commission is still largely in its infancy and plenty of technical thought is required to go into developing or building a firm foundation for administrative, financial and conference services, hence the need for technical support services.

- ii) Similarly, the Commissioners should be provided with two (2) Advisors, not only because of the wide nature of their mandates, but especially the need to equip all Departments to play their role in the co-ordination of the work of the whole Committee.
- iii) In addition, the Directorates in the Office of the Deputy Chairperson should be restructured in the interest of efficiency and effectiveness, as follows:
 - a) The Directorate of Administration and Human Resources Development should be split into two directorates, namely Directorate for Administrative Services, which would include Procurement, AU Passports, Security, ICT and Management Services Divisions; and the Human Resources Directorate to be responsible for the ever growing workforce, whose approved establishment is over 900. The Directorate made sense when the African Union Commission workforce was small (less than 200), but it has since more than trebled and continues to grow. The current Directorate structure is over stretched and poses a potential compromise to the quality of services that may be rendered in that regard.
 - b) Under the proposed Administrative Services Directorate, the function of procurement should be upgraded to Division status and excised from travel arrangement services, in true reflection of the growing African Union. Procurement for the organization continues to grow in magnitude and complexity and now requires a fully-fledged professional outfit, to service the entire Commission. In addition, the Division will be tasked with implementing the new Procurement Manual for which staff has already been trained. ICT should similarly be upgraded to Division level and eventually assume greater status, given the very critical role it is expected to play in the new revitalized, re-energized and focused Commission.
 - c) Under the Programming, Budgeting, Finance and Accounting Directorate, the function of programming needs to be excised and developed into a unit/office. This will strengthen the programming aspect of the mandate of this Directorate and provide the necessary capacity to work with the SPPME Directorate. At the moment, there is not enough synergy between the two Directorates regarding this important aspect of their shared mandate on programming of the activities of the Commission.
 - d) If the foregoing is acceptable the Office of the Deputy Chairperson would be comprised of the Directorates of: - Administrative Services; Human Resources Development; Budgeting, Finance and Accounting; Conference Services; Medical Services and the

Programmes and Operations Unit. These changes would facilitate the much needed impetus to run the proposed reforms programme.

34. To effect these changes would only require a decision followed by some consequential amendments to the Rules of Procedure of the Assembly and the Executive Council as well as the Statutes of the Commission.

35. The Commission will work with the PRC in finalizing the proposed changes, including the financial implications of reinforcing the offices of the Chairperson, the Deputy Chairperson and the Commissioners.

36. Brief comments are made in the last column of Annex III, regarding the other Panel recommendations rejected by the Executive Council.

IV. ADMINISTRATIVE ISSUES REFERRED TO THE COMMISSION FOR CONSIDERATION AND APPROPRIATE ACTION.

37. The Commission expresses appreciation to the Executive Council for referring back to it issues that are of an administrative and or structural nature or are internal to the Commission. This will make it possible for attention to be put on the issues some of which look minor but are of great importance to the smooth functioning of the Union and its success. We have, therefore, in the last column of Annex 4, indicated some of the actions already taken, that are being taken, as well as recommendations made to deal with the issues that are still outstanding. However, there is room for additional comments and recommendations on some of the issues which are extremely important to the success of the Union. These include the following.

a) REPRESENTATIONAL, SCIENTIFIC, TECHNICAL OFFICES AND SPECIALIZED AGENCIES

38. With regards to the above institutions of the African Union, the Panel made recommendations 76, 77, 78 and 79, which state as follows:

-“A thorough cost-benefit analysis needs to be carried out on the future of existing offices and prior to the opening of new ones. The analysis should also review the competencies of the staff required to manage these offices. Such an analysis should inform on the need to maintain, relocate or close the present stations. Such a study should be undertaken without delay and encompass the overhauling of the reporting systems of these offices to the Commission.

- Urgent action needs to be taken for the filing of vacancies in such stations as Brussels and Geneva where very complex negotiations affecting Member States are ongoing with little or no input from these offices.

- With regard to the technical offices, efforts should be undertaken to audit their performance and outreach.

- The AUC should implement the Assembly Decision taken in 2001 in Lusaka on the Specialized Agencies so as to determine their continued relevance.”

39. The Commission has again looked at these issues and wishes to provide the following clarifications, which it believes will help in decision-making.

40. First, there is need to make a clear distinction between these three categories of offices as follows:

i) The Representational Offices

41. There are six (06) Representational Offices of the African Union established in:

- New York: to deal with the UN Secretariat activities in New York
- Geneva: to deal with the UN Agencies in Geneva
 - Brussels: to deal with the European Union and its relations with Africa, as well as the ACP Secretariat.
- Cairo: to ensure representation with the League of Arab States (LAS);
- Lilongwe: Representational office with the Southern Region;
- Washington: Representation to the United States of America, the Diaspora constituency in A America, and the Breton Woods Institutions

42. The Representational Offices have a very clear and well-defined mandate and Terms of Reference and perform strategic functions; they represent the interests of the African Union wherever they are situated; they operate as the Secretariat for the African Group of Ambassadors, and assist in coordinating the work of the Groups. They also serve as links between the Commission and those Agencies having their Headquarters in those locations.

43. Since the creation of the Commission of the AU in 2003, focused efforts have been made to strengthen the Representational Offices and they are operating much better now and are providing invaluable services where they exist. The challenge today with these offices is how to equip them with enough “technically qualified personnel” with the necessary competences, which will allow them meet their obligations in full and perform their functions better. These offices, whose locations and functions are strategic, need to have adequate human resources in quality and number to be able to deal with the various issues in their constituencies. The fact that the Panel recommends the staff strengthening of the Offices in Brussels and Geneva so that they could work with the Group of African Ambassadors there to develop common positions in the important negotiations they are engaged in is an indication of the importance of such Offices.

44. Consequently, what needs to be done is a needs assessment in terms of human capital and financing of these offices such that they can play an effective role towards

meeting their mandate and the aspirations of the Union as a reason for their initial creation.

45. Another issue that needs to be addressed is the reporting channel and authority at Headquarters, which would allow full monitoring of their activities and proper guidance on their generic activities. At the moment, the temporary arrangement in place is that those offices report through the Political Affairs Department; but there is no structure/office in that Department which is dedicated to the Representational Offices, hence the inadequacy of feed-back on their actions. In future, if the Commission's proposal to have a new Portfolio for External Relations is approved, this will provide an appropriate conduit that will inter-act with the offices on a regular basis and provide them guidance on a daily basis.

46. With regards to considering opening new Representational offices, and due to the strategic functions and nature of such offices, the Commission expects that the Union will establish more representational offices because of the influence and reach of the AU as well as the growing challenges in the world, which involve Continental Organization. There are locations where the AU needs to be present and urgently needs to be represented such as.

- Paris (UNESCO; OECD)
- Rome (FAO; IFAD; Trieste University)
- Vienna (UNIDO; IAEA; UNODC; OPEC Funds; OSCE; IISA; CTBTO, UNCITRAL)
- Brazil (with South America and African Diaspora)

47. Of the proposed offices above, the case of an office in Vienna needs careful urgent and preferential consideration due to the fact that a number of Institutions of strategic value and nature have their headquarters located in that city. In addition, the representational size of the African Group of Ambassadors comprises 16 resident and 28 non-resident Missions of Member States of the African Union. This Group handles issues such as Industrial Development, Drugs and Crime control, Atomic Energy, Security, etc... Currently the Geneva office is assigned to cover Vienna, but in practice this has not been feasible and as such the African Group has been left unattended and without the required help from the Commission.

48. It is therefore proposed that Member States seriously consider opening an AU office in Vienna for all the reasons stated above. In fact the Austrian Government has taken the lead in facilitating the establishment of the Office by actually acquiring and offering to allocate office space for the mission close to the Vienna International Centre where the UN and most missions of importance are allocated, and to provide office equipment to the value of USD 100,000 (one hundred thousand US Dollars). The offer for office accommodation is for several years in view of the fact that an initial agreement of three to five years shall be subject to renewal. The Austrian President reaffirmed this offer when he visited Addis Ababa recently on the 21st February 2008. The African Group of Ambassadors has also recently written to the Chairperson of the Commission

to support the proposal for the establishment of this Office. The proposed structure for this office is attached as Annex 5 to this Report.

Recommendations

49. Council is requested to consider:

- i) Mandating the Commission, in consultation/collaboration with the PRC, to review the structure and staff complement of the existing representational offices with a view to strengthening them and equipping them with appropriate human and financial resources so that they could efficiently carry out their mandate. If necessary, their mandate could also be revisited so that it is realigned, taking into account the new developments in the world;
- ii) Approving the principle of establishing the Vienna office and mandating the Commission, to make all necessary arrangements for the opening of the Office and propose, in collaboration/consultation with the PRC, a structure, staff complement and budget for that office for final approval by Council at its 14th ordinary Session in January 2009;
- iii) Mandating the Commission to work out a proposal of a system that could be put in place to have the African Union to be represented:
 - by the Deans of the African Ambassadors in countries outside the Continent where a large number of Africans and/or African Diaspora are residing; and
 - by Honorary Consuls in cities where there are large numbers of Africans and people of African descent.

Our sounding with Deans of African Ambassadors in various countries clearly indicates willingness; indeed, desire, to play that role. Africans in the Diaspora are also desirous to work with the African Union.

ii) The Scientific and Technical Offices

50. There are ten (10) Scientific and Technical Offices of the African Union. Seven (07) of them were inherited from the Organization of African Unity (OAU), which are:

1. Inter African Bureau for Animal Resources (Nairobi)
2. Inter African Phytosanitary Council (Yaoundé)
3. Scientific, Technical and Research Commission (Lagos)
4. Semi-arid, Food Grain Research and Development Coordination Office (Ouagadougou)
5. Coordination Office of the Fouta-Djallon Highlands Development Project (Conakry)

6. Centre for Historical Studies by Oral Tradition (Niamey)
7. African Commission for the Human and People's Rights (Banjul) (to be converted into an Organ of the AU).

51. Three Offices were established under the AU as follows:

8. International Centre for Education and Training of Girls in Africa (Ouagadougou)
9. African Academy of Languages (Bamako)
10. African Centre for the Study and Research on Terrorism (Algiers)

52. The first six listed offices have gone through thorough scrutiny processes on two occasions; firstly, during the restructuring process of the OAU (1998/1999) and secondly, during the transitional period from the OAU to the AU (2001-2003).

53. Indeed, the OAU Council of Ministers at its 69th Ordinary Session in March 1999 adopted Decision CM/Dec.446 (LXIX) for a reform and restructuring programme of the secretariat of the OAU to enable it carry out its responsibility as the Secretariat of the OAU and AEC.

54. Furthermore, at the 70th Ordinary Session in Algiers in June 1999, the Council of Ministers considered the progress report on the implementation of its decision M/Dec.446 (LXIX) on Restructuring of the Secretariat and decided to defer the decision on the restructuring of the Scientific and Technical Offices until a further in-depth study has been undertaken in consultation with Member States. Consequently, the Ad-Hoc Committee on Structural Reform directed the General Secretariat to prepare a study on these offices. The Committee, after considering the study (Doc. DTT/25/1) submitted by the Secretariat, decided to send two missions composed of the Committee members and the Secretariat to the Scientific and Technical offices. The missions were undertaken and a report prepared (Doc. 2199 (LXXII)) and submitted to Council for consideration and action. Council deliberated on the report and adopted Decision CM/Dec.555 (LXXIII) which stated, among others, that:

“A multi-disciplinary team of experts should be recruited to carry out detailed evaluation of IBAR and IAPSC and propose a new structure for each office. The multi-disciplinary team should take into account studies prepared by the OAU Secretariat and the reports of the Ad-Hoc Committee, particularly Doc. DTT/25/”.

55. It is therefore within the framework of implementing Decision CM/Dec.555 (LXXIII) of Council of Ministers and Durban Decision ASS/AU/Dec.1 (I) with the view to providing the S and T offices of the African Union with a renewed vision, mandate, objectives and structure, that a study was commissioned and undertaken. The outcomes of the study were presented to the Policy Organs of the AU and were used to define the mandate, objectives, role, functions and structure of these offices as they exist at the moment in the Maputo structure.

56. At the moment, it is the view of the Commission that the Scientific and Technical Offices, as they stand now, are still relevant to the new Vision, Missions and Strategic orientation of the AU and the challenges facing the continent. In addition, these offices are doing excellent work, and we believe many Member States that have seen them at work will testify to that. This is also supported by the fact that the activities of the technical offices are receiving considerable funding from partner sources.

Recommendations:

57. Council may wish to consider requesting the Commission to engage a Team of multi-disciplinary Experts to audit this time, the performance and outreach of the Scientific and Technical Offices as recommended by the AU Audit Panel.

iii) The Specialized Agencies

58. There are presently nine Specialized Agencies of the AU; namely the African Civil Aviation Commission (Dakar), the Union of African Railways (Kinshasa), the African Telecommunications Union (Nairobi), the Pan-African Postal Union (Arusha), the African Rehabilitation Institute (Harare), the Supreme Council for Sports in Africa (Yaoundé), the Pan-African Institute of Education for Development (Kinshasa), the Pan-African Youth Union (Algiers), and the African Energy Common (Algiers). There are also pending applications from a number of organizations for recognition as Specialized Agencies including from the Organization of African Trade Union Unity.

59. The first meeting of the Assembly of Heads of State and Government of the African Union held in Durban, South Africa in July 2002, adopted Decision Ass/AU/Dec.1 (I) on the Interim Period which authorized the Interim Chairperson to continue implementing activities identified in “the Report of the OAU Secretary General on the Implementation of Lusaka Decision AHG/160(XXXVII) relating to the Transition Period from OAU to AU”, among others.

60. Decision AHG/Dec 160 (XXXVII) stipulates as follows:

“(i) **MANDATES** the Secretary General to undertake a review of the existing OAU Specialized Agencies so as to determine their continued relevance and make concrete proposals on their possible incorporation as Specialized Agencies of the African Union;

(ii) **REQUESTS** the Secretary General to convene as soon as possible, a meeting with all the relevant Specialized Agencies, so as to define all aspects of their relationship with the African Union with emphasis on the modalities for their full involvement in the programmes of the African Union and all the functional, institutional and programmatic dimensions of the relationship.”

61. In his report to the Council of Ministers of the OAU at its special Session on the African Union, held in Durban, South Africa on “the implementation of the Lusaka Decision”, the Secretary General of the OAU indicated that the performance of the Specialized Agencies had been far from satisfactory since their establishment, due to, among other things, lack of adequate resources. Their members had not lived up to their financial obligations and their relevance has been a matter of concern to Member States. Furthermore, their administrative and operational linkages with both, the RECs and the OAU had not been very clear. With the launching of the African Union, the future relevance of the Specialized Agencies will depend, to a large extent, on the strategies and programmes to be adopted by the Continental body, in terms of fostering co-operation in the sectors where Specialized Agencies have been created.

62. In the Report, the Secretary General proposed that the Secretariat should engage consultants to evaluate each specialized Agency so as to design a strategy and approach with the view to making appropriate recommendations to the Policy Organs.

Recommendation

63. Unfortunately, and due to time and financial constraints, this study has not been carried out to date. The Commission will take all necessary measures, within the framework of the implementation of the Arusha outcome, to put in place a team of experts to undertake the review and evaluation of all the existing Specialized Agencies and submit a report in January 2008.

V. ADDITIONAL MATTERS

a) ALTERNATIVE SOURCES OF FINANCING FOR THE AFRICAN UNION

64. The financing of the Union has always been one of the key priorities of the OAU and its successor organization, the AU, since its inception. Moreover in considering this issue, there has always been a strong emphasis on the requirement of putting in place alternative sources of financing beyond traditional emphasis of assessed contributions that is supplemented by donor offerings. The need to move away from assessed contributions is also highlighted by the fact that seven Member States are presently under sanctions.

65. It is hardly surprising therefore that the Accra Declaration of Heads of State and Government of July 2007, highlighted the issue, as one of the five Terms of Reference of the Ministerial Committee of Ten on the Union Government and included it as one of the specific objectives of the Audit as follows: “ Review the finances of the and financial management of the Union and the current system of assessed contributions of Member States *vis a vis* the financial challenges of economic and political integration, as well as the ongoing discussions of funding options, and make concrete suggestions on workable options”

66. In their subsequent reports, both the Ministerial Committee of Ten and the Audit Panel recognized the critical importance of this issue for efficient performance of the

Union. Both also stressed the need to mobilize resources on a much bigger, predictable and sustainable basis than is the case at the present, whilst laying emphasis on the need to dissuade the Union from its undue dependence on external partners for carrying out its development agenda. At the same time, both also noted, that notwithstanding the establishment of mechanisms for self financing, Member States should retain their responsibility to make contributions for the funding of the Union, and this should be the case, even after the Union is able to attain a high degree of financial autonomy.

67. Specifically, however, the Audit Panel argued for the need to free the AU from its dependence on the capacity of Member States to pay, pointing out, that in actual fact, the money generated from Member States contributions is so inadequate that it barely covers administrative costs and little or no surplus is left over for financing programmes and projects. The panel therefore considered options for alternative financing of the Union that could alleviate this situation and subsequently settled on the option of a tax on air travel as showing a “high potential”. The panel added that collection of revenue from this source would be particularly appropriate as it would not require a complex administrative machinery and consequently recommended that a tax on air travel within Africa should levied without delay.

68. The deliberation of the Executive Council revealed two lines of thought on this subject. There were those who argued that the idea should be rejected because it would impose additional levies that would discourage Africans from travelling within the Continent. Proponents of this position also argued that the idea had been previously considered and rejected by African Ministers of Transport as sectoral Ministers, who had competence and knowledge of this area. Some argued therefore, that a relevant study still needed to be done on this proposal. On the other hand, others argued that so many studies had been done already and that what was required was a political decision in support of taxation on any travel that would ensure the “collective” and “complete ownership” of the Union and its programmes by Member States, apart from the need also to allow them to demonstrate their commitment to the objectives of the AU. The Ministerial Committee of Ten on the Union Government had examined all options that had been submitted to experts and Ministerial meetings and subsequently made a number of proposals on each of them. The Ministerial Committee further stated that the implementation of any number of these options could be viable, provided the necessary political will existed on the part of member States.

69. At the conclusion of this debate, the Executive Council took a middle of the road position. It did not take a firm decision for or against taxation on air travel. Rather, the Extra Ordinary Session of the Executive Council in Arusha requested the Commission to complete the ongoing study on alternative sources of funding the Union and submit its recommendations to the 14th Ordinary Session of the Executive Council in January 2009, thereby implying that this as well as other options should be given further consideration. This position endorsed by the Committee of Twelve Heads of State and Government, on the Union Government, that reviewed the conclusions of the Executive Council on the report of the Audit Panel.

70. These options submitted by both Panel and Ministerial Committee include levies and taxes on:

- Air Travel
- Imports and Exports
- Insurance
- Mortgages
- Mobile Phones
- Value Added Tax (VAT)
- Integration Tax
- Tax on Oil Producing Countries
- Other Measures including investments in property development such as real estate as well as in tourism.

71. In addition, the Ministerial Committee of Ten on the Union Government also agreed on the acceleration of the establishment of the Financial institutions and reform of the system of assessed contributions

72. Consequently, the Commission intends to study further these options, taking into account the report of both the Audit Panel and the Ministerial Committee on the Union Government as well as the consideration of previous meetings of the sectoral Ministers, including African Ministers of Transport. In this regard, the Commission also recalls that the Conference of African Ministers of Finance at its meeting in Yaounde, Cameroon, in 2006 had set up a Committee of Experts to study the various options for financing the programmes and activities of the Union. The Committee further stressed the need for the work to be completed urgently, taking into account the various options identified during the deliberations so that the organs of the Union could be availed with the outcomes. The Commission will request AFCAC, one of its Specialised Agencies, to examine the proposal on surcharge of air travel since it has the competence to provide technical advice on it.

73. The Commission will also take into consideration the outcome of the Finance Ministers meeting and factor it into the study so as to put a final seal on the circle of studies and make appropriate recommendations that would require the political decision of Council to give it the necessary effect. That recommendation would be submitted as mandated to the 14th Ordinary Session of Council in January 2009.

b). PROPOSAL TO HAVE A SECOND DEPUTY CHAIRPERSON IN CHARGE OF OPERATIONS AND PROGRAMMES

74. During the course of the deliberation of the 11th Extra-Ordinary Session of the Executive Council of the African Union, held in Arusha, Tanzania, to consider the Report of the Audit Panel of the Union, one Member State proposed the idea of having two Deputy Chairpersons of the African Union Commission including one for Administration and Finance that already exists and a new one for Programmes and Operations that would be in charge of programmes on a daily basis. The Member States requested that the Commission should study the feasibility of this proposal and submit a report on its

desirability to the next Ordinary Session of Council in Sharm El Sheikh, Egypt in late June 2008.

75. The Commission has examined the proposal within the context of the realities of the AU environment and experience derived from other approximate international organizations.

76. The Commission recognizes the noble intention behind the proposal and its probable advantages. These would include increasing the scope for functional specialization within the Commission, relieving the Chairperson of the burden of direct supervision of programmes so that he can focus more on broad policy orientations, strategic partnership and external relations and creating a layer of different areas of supervision above Commissioners responsible for programme activities in respective spheres. The expectation is that the cumulative effect of these advantages would raise the profile of the integration programmes of the organization.

77. However, practical difficulties that would be associated with the implementation of the proposal indicate that it could have serious and undesirable consequences. To begin with, the proposal is reminiscent of the idea of a President of the Union that was advanced in the context of the Union Government proposal. It raises the possibility of a Chairperson that would be more ceremonial than executive. Divorcing responsibility for broad policy orientation from active supervision of programmes might be counter productive because it is the active management of programmes and operations that enriches and gives proper focus to policy orientation. Without it, the latter could be operating in a vacuum. Furthermore, the responsibility for policy orientation within the framework of the Constitutive Act of the Union belongs to the executive organs of the Union (Assembly and Council). The Chairperson of the Commission is the head of the Union's bureaucracy or public service and his responsibility, as such, should be active in the management and supervision of programmes and operations.

78. In addition, the proposal harbours wide prospects and possibilities of role conflicts at various levels. First, is at the level of Deputy Chairpersons. The new Deputy Chairperson would differ from his counterpart who has responsibility for finance and administration because the latter only has direct supervisory role over Directors who are civil servants. By contrast, the Deputy in charge of operations and programmes would necessarily have a supervisory status in the areas of programmes and operations over line Commissioners that have been entrusted with responsibility in their respective areas. Since the selection of these Commissioners were made on the basis of their professional status, the practice of an "intelligent generalist" supervising their day to day activities is fraught with problems and difficult prospects. It could be argued that this is the same role hitherto played by the Chairperson but it is a role easier for a Chief Executive than another layer of a Deputy who then reports to a Chief Executive.

79. The added value of this two layer of bureaucracy in this regard is yet to be demonstrated. Significantly also, there could be role conflicts with the Chief Executive himself because it is hard to see where the authority of the Deputy would cease and his could begin. Effectively therefore, the resultant situation would likely contradict the spirit

and content of Recommendations 33 of the Panel Report that was endorsed by the 11th Extra-Ordinary Session of Council and the Committee of Twelve that the “Chairperson of the Commission should exercise full authority within the Commission as the Chief Executive and Accounting officer.”

80. Finally, the Commission would add that the case of COMESA where this structure exists is distinct from the African Union Commission. Only three political officials are elected in that context – the Executive Secretary and his 2 Deputies. Below them are Directors who are civil servants. The situation in the Commission is radically different and so are the prospects.

81. The following Annexes are intended to set out the recommendations of the Eleventh Extraordinary Session of the Executive Council held in Arusha Tanzania, from 6 to 7 May 2008 as well as actions taken or to be taken:

- Annex 1: Recommendations of the Audit Panel accepted by Council
- Annex 2: Recommendations of the Audit Panel accepted by Council with amendments
- Annex 3: Recommendations of the Audit Panel Rejected by Council
- Annex 4: Administrative issues referred to the Commission for consideration and appropriate action
- Annex 5: Draft Structure for the proposed office in Vienna, Austria.

RECOMMENDATION ACCEPTED BY COUNCIL FROM THE AUDIT PANEL

AU Organ/African Entity /Institution	Recommendations of the Panel	Actors at various levels	Observations/Reco- mmendations of the Executive Council
	2. The Assembly should endeavour to adopt a thematic approach to its annual meetings and in each meeting announce the theme of the subsequent meeting	2. Council, PRC, Commission with inputs from AU organs and RECs	Accepted
	3. The first substantive item of each Summit should be dedicated to the consideration and review of the implementation of previous decisions.	3. Assembly, Council	Accepted
	5. The Heads of State and Government should, after each Summit, endeavour to report on the decisions reached at summits to their populace, Assemblies and National Commissions for Integration.	5. Heads of States and Government, Ministries in charge of Integration	Accepted
	6. A mechanism should be put in place for monitoring the implementation of the Assembly's decisions at various levels.	6. Commission, Council, RECs, Heads of States and Governments	Accepted

AU Organ/African Entity /Institution	Recommendations of the Panel	Actors at various levels	Observations/Reco- mmendations of the Executive Council
Pan African Parliament	12. The PAP should comply with Decision 98 of the Council which was confirmed by Assembly Decision 39(III);	12. Assembly, Commission, Council	Accepted
	13. The Clerks of National Parliaments should immediately inform PAP of the cessation of the membership of their Parliamentarians whose tenure expires;	13. Member States, national and regional parliaments	Accepted
	14. PAP should put in place policy guidelines on its relations with other organs of the Union subject to the concurrence of the other organs of the Union and the approval of the Assembly.	14. PAP, Commission, Assembly, AU organs	Accepted
	15. The Code of Conduct for PAP members identified, as a deliverable for 2005 should be finalized.	15. PAP	Accepted
	17. PAP should work closely with regional Assemblies to streamline their activities	17. PAP, regional Assemblies	Accepted
African Court of Justice and Human Rights	18. The process of merging the African Court of Justice with the African Court on Human and Peoples' Rights should be accelerated.	18. Assembly, Council	Accepted
	19. The African Court of Justice should be established with the competence to function	19. Assembly, Executive	Accepted

AU Organ/African Entity /Institution	Recommendations of the Panel	Actors at various levels	Observations/Reco- mmendations of the Executive Council
	<p>as African Court of Appeal (old recommendation of the Panel).The process of merging the African Court of Justice (ACJ) and the African Court of Human and Peoples' Rights (AfCHPR) should be accelerated. Once fully established and developed, possibility of giving it the competence to function as an African Court of Appeal should be explored. However, the jurisdiction of the Court should be decided by the Conference of Ministers of Justice in order to avoid jurisdictional conflict between this Court on the one hand, and national and regional courts on the other. (new recommendation of the Panel)</p>	Council	
	20. The competence of the Court should be accepted by all Member States of the AU	20. Member States	Accepted
	21. The Assembly and the Executive Council should ensure that decisions of the Court are complied by Member States	21. Assembly, Council, Member States	Accepted
	22. Member States should accept the oversight role of the ACHPR	22. Member States	Accepted
	23. The ACHPR should review its partnership arrangements with non-African actors with the view to correcting the perception of being	23. ACHPR	Accepted

AU Organ/African Entity /Institution	Recommendations of the Panel	Actors at various levels	Observations/Reco- mmendations of the Executive Council
	overly donor-dependent		
	24. The ACHPR should review its budget proposal to the AUC with a view to allocating more of its resources for the delivery of its mandate	24. AUC, ACHPR	Accepted
	25. It would be important for ACHPR to establish links with other Organs of the AU	25. ACHPR	Accepted
	27. Article 19 of the Protocol establishing the Peace and Security Council should be used to ensure enforcement of the recommendations of the ACHPR	27. ACHPR	Accepted
	28. The Union should ensure that its judicial Organs are provided with the necessary qualified and experienced human resources as well as other material and financial resources to enable them discharge their mandate effectively	28. AUC, PRC and Council	Accepted
	29. State Parties should be reminded of their obligation to grant authorization to staff members of the ACHPR to visit their countries	29. Member States	Accepted
	30. The ACHPR and the AfCHPR should ensure that they work closely together in order to	30. ACHPR and AfCHPR	Accepted

AU Organ/African Entity /Institution	Recommendations of the Panel	Actors at various levels	Observations/Reco- mmendations of the Executive Council
	avoid duplication of efforts.		
The Financial Institutions	31. The setting up of an ad hoc Committee of Experts, comprising representatives of three countries selected to host the three financial institutions (Cameroon, Libya and Nigeria), AACB, the AU Commission, UNECA, AfDB and the RECs. The Committee, which should be presided by an independent person who is committed to pan-Africanism, will prepare a roadmap for the establishment of the three financial institutions.	31. Assembly, AUC, AACB, UNECA, AfDB, host countries	Accepted
	32. The ad hoc Committee should submit a roadmap within a timeframe of two to three months. The roadmap will be submitted to the mechanism proposed in Chapter 12.	32. The ad hoc Committee	Accepted
AU Commission	33. The Chairperson should exercise full authority within the Commission as the Chief Executive and Accounting Officer	33. AUC Chairperson	Accepted
	34. There should be a compulsory induction for all Members and Staff of the Commission that clearly states the modus operandi and code of conduct of the Commission	34. AUC	Accepted
	35. All staff members of the Commission should be required to acquaint themselves with the	35. AUC	Accepted

AU Organ/African Entity /Institution	Recommendations of the Panel	Actors at various levels	Observations/Reco- mmendations of the Executive Council
	Statutes of the Commission and the relevant Rules of Procedure of other Organs		
	65. Consultations between the Commission and Pan African Women's Organisation (PAWO) as well as other continental female organizations, be speeded up to develop a common agenda to facilitate women integration	65. AUC, PAWO	Accepted
	72. Member States should strengthen their capacities both quantitatively and qualitatively to play an effective role	72. Member States	Accepted
	73. Confidence-building measures should be developed to build the mutual trust between the Commission and the PRC which is essential for the advancement of the objectives of the Union	73. AUC, PRC	Accepted
	75. There should be regular structured consultations between the PRC and the Commission at the highest level	75. AUC, PRC	Accepted
	87. The AUC in collaboration with the network of universities and research institutes as recommended in paragraph 144, should exercise its functions to undertake research	87. AUC, Universities	Accepted

AU Organ/African Entity /Institution	Recommendations of the Panel	Actors at various levels	Observations/Reco- mmendations of the Executive Council
	in developing building the Union and on the integration process. It should also institute an in-country analysis of implementation progress to present recommendations of how to accelerate Treaty ratification and implementation		
Permanent Represent- atives' Committee	104. Experienced Ambassadors from Member States should be posted to head their missions. Permanent Representatives should assume full control and personal responsibility for AU matters rather than delegate official responsibilities to subordinates. Whenever meetings of the PRC are convened, Permanent representatives should attend personally	104. Member States	Accepted
	105. African permanent missions to the AU should be staffed with competent personnel to handle issues of strategic importance to the union, such as finance, trade, the environment and economic development among others	105. Member States	Accepted
	111. ECOSOCC Cluster Committees should make regular inputs into the different Organs of the AU	111. ECOSOCC, AUC	Accepted
	112. The Statutes of ECOSOCC should be	112. ECOSOCC	Accepted

AU Organ/African Entity /Institution	Recommendations of the Panel	Actors at various levels	Observations/Reco- mmendations of the Executive Council
	reviewed after the forthcoming elections with respect to the eligibility of CSOs and the Organisation of elections		
	113. Member States should provide enabling financial support for deserving civil society Organisations to assist them to become less reliant on external partners. By so doing, this will enable them to become eligible to join ECOSOCC	113. Member States	Accepted
	114. The ECOSOCC should fully organise the pre-Summit fora with CIDO serving as its secretariat. In this regard CIDO should be strengthened adequately to cope with this responsibility. The panel does not recommend the establishment of a separate secretariat for ECOSOCC	114. AUC, ECOSOCC	Accepted
	115. The ECOSOCC report should be submitted to the Council for onward transmission to the Assembly. The ECOSOCC should be given an opportunity to substantively address the Assembly on this report	115. AUC, PRC, Council	Accepted
	116. The pre-Summit Civil Society meeting should be organised by ECOSOCC supported by CIDO	116. AUC, ECOSOCC	Accepted

AU Organ/African Entity /Institution	Recommendations of the Panel	Actors at various levels	Observations/Reco- mmendations of the Executive Council
The Peace and Security Council	117. The PSC should continue to streamline and enhance its working methods	117. PSC	Accepted
	118. The PSC should broaden the scope of issues to be considered in order to discharge its diverse responsibilities efficiently and effectively. This should include the setting up of mechanisms to ensure compliance	118. PSC	Accepted
	119. The PSC will do well to borrow ideas from the UNSC and use the Arria type of meeting, a format that enables the members of the Security Council to interact on informal basis with Civil Society Organisations on issues before the Council	119. PSC	Accepted
	120. The PSC should give serious consideration to the establishment of subsidiary bodies to facilitate its access to information, knowledge and technical expertise on the various subject matters pertaining to peace and security	120. PSC	Accepted
	121. The Peace and Security Department (PSD) should be strengthened in respect of personnel and operational equipment to enable it support the PSC more effectively	121. PSC, AUC, PRC	Accepted
	122. The other bodies or components of the peace and security architecture - the Panel of the Wise, the CEWS and the AFS - should be	122. PSC, PRC, Council	Accepted

AU Organ/African Entity /Institution		Actors at various levels	Observations/Reco- mmendations of the Executive Council
	effectively and optimally operationalised to enable them play the roles envisaged for them in the system		
	123. The Policy Framework for Post Conflict Reconstruction and Development, including the establishment of the Standing Committee, should be implemented expeditiously to ensure a smooth transition from conflict to peace of African countries emerging from conflict. In this connection, there should be stronger cooperation between the PSC and the UN Peace building Commission, using the African members serving on the latter body	123. PSC	Accepted
	124. The PSC should intensify its efforts to strengthen its cooperation and collaboration with the RECs, the PAP and the ACHPR as envisaged in its Protocol	124. PSC, PAP, RECS, ACHPR	Accepted
	125. The PSC, in concert with the AU Commission, should endeavour to ensure speedy implementation of the AU-UN Ten-Year Capacity Building Programme authorized by the 2005 World Summit. Within this framework, the PSC should strengthen its collaboration with the three non-permanent African Members of the UN Security Council	125. PSC, AUC	Accepted

AU Organ/African Entity /Institution	Recommendations of the Panel	Actors at various levels	Observations/Reco- mmendations of the Executive Council
	and submit periodic reports to the Assembly		
	126. African countries should endeavour to contribute substantially to AU peace operations. The assessed contributions of Member States to peacekeeping operations should be paid regularly. The percentage of regular budget allocated to the Peace Fund should be increased and the AU Commission Chairperson should also intensify his efforts at mobilizing funds and resources for AU peacekeeping operations from within the Continent and the Diaspora	126. PSC	Accepted
Regional Economic Communities	128. Member States should incorporate at country level the decisions taken at the RECs levels and in the Continental Summits into their national legal systems, policy frameworks, and development plans	128. Member States	Accepted
	131. The RECs should focus on those activities that would fast track the objective of creating an African Common Market and establishing an Economic Community as contained in the Abuja Treaty	131. RECs	Accepted
	134. It should be made mandatory for the Coordinating Committee to present annual reports to the assembly of the AU on the activities of the RECs in relation to the	134. AUC, RECs,	Accepted

AU Organ/African Entity /Institution	Recommendations of the Panel	Actors at various levels	Observations/Reco- mmendations of the Executive Council
	economic integration of the continent		
	138. The AUC should develop the necessary internal mechanisms to strengthen its coordinating and harmonising role among the RECs and its leadership responsibility viz a viz external actors. To that end, the AUC should put greater emphasis on promoting inter-RECs cooperation, particularly the exchange of experiences based on their respective comparative advantages. The Continental Summits into their national legal systems, policy frameworks, and development plans;	138. AUC	Accepted

AU Organ/African Entity /Institution	Recommendations of the Panel	Actors at various levels	Observations/Reco- mmendations of the Executive Council
UNECA and AfDB	142. The Joint AU-UNECA-AfDB Secretariat should be reinvigorated to make it more effective in accelerating the integration process. This should include the publication of a joint annual report to the Assembly on progress towards continental integration. Such a report should focus on cross border trade and investment, the degree of free movement of persons across national and regional borders, the implementation of regional and continental projects, the level of effective supranational authority entrusted by Member States to RECs, resource mobilisation efforts at continental, regional and national levels and lastly, including progress in operationalising the continental financial Institutions;	142. AUC, UNECA, AfDB	Accepted
	144. Member States at the United Nations should support UNECA in reconstituting and further strengthening its capacity so as to be able to fully play its role as main implementing agency of the UN economic development programmes in the continent.	144. Member States	Accepted

RECOMMENDATIONS OF THE AUDIT PANEL ACCEPTED BY COUNCIL WITH AMENDMENTS

AU Organ/African Entity /Institution	Recommendations of the Panel	Actors at various levels	Observations/Recommendations of the Executive Council
	8. Sectoral ministers according to the agenda will attend meetings of the Executive Council	8. Assembly to decide	Accepted as amended
	10. The brief for each Specialized Technical Committee (STC) will flow from the powers and functions of the Executive Council stipulated in Rule 5 of the Rules of Procedure.	10. Assembly to decide	Accepted as amended
Pan African Parliament	16. The PAP President should present reports to the Assembly through the Executive Council and to the PAP on the AU Summit outcomes.	16. PAP	Accepted as amended
AU Commission	37. The election of the Commissioners should focus on core competencies and experience. Each region will provide at least two, but preferably more candidates for election	37. Member States, Council	Accepted as amended
	40. The tenure for the elected posts should remain four years. In order to avoid the problem of simultaneous elections of the members of the Commission, the elections of the Chairperson and Deputy Chairperson should take place six months prior to the election of the Commissioners.	40. Assembly, Council	Accepted as amended
	62. The acceleration of the elaboration of the Gender Policy and Mainstreaming Strategic Plan should be finalised, disseminated and implemented in all Member States and	62. AUC	Accepted as amended

AU Organ/African Entity /Institution	Recommendations of the Panel	Actors at various levels	Observations/Recommendations of the Executive Council
	the Commission		
	64. The African Union should maintain the active participation of continental women organizations, the youth and ECOSOCC members in all integration processes	64. AUC, ECOSOCC	Accepted as amended
	66. The report of the women annual pre-summit meeting as well as the Report on the Youth should be regularly routed through the Women Committee and ECOSOCC respectively, to the Assembly	66. AUC, ECOSOCC	Accepted as amended
	83. All Member States should establish a National Commission on African Union Affairs (NCAUA) to be composed of representatives of Government, Parliament, Private Sector and Civil Society Organisations with the capacity to ensure domestication and popularisation of the decisions of the Union, monitor compliance with Assembly decisions and produce gap analysis reports between AU instruments and national laws	83. Member States	Accepted in principle for purpose of popularisation; composition and coordination body will be determined by each Member State
	88. The Assembly should mandate the Commission to develop a comprehensive list of actions, including a sanctions regime, to ensure compliance with the Executive Council and the Assembly decisions and treaties	88. Assembly, AUC	Accepted as amended
	101. Member States in their relations with other partners should work within the framework of the Constitutive Act	101. Member States	Accepted as amended

AU Organ/African Entity /Institution	Recommendations of the Panel	Actors at various levels	Observations/Recommendations of the Executive Council
	and the decisions of the Executive Council and the Assembly and thereby promote and uphold the collective interest of Africa		
Regional Economic Communities	127. Member States should live up to their commitment to integration by faithfully implementing decisions at national, regional and continental levels	127. Member States	Accepted as amended
	129. The Assembly should regularly review the progress of harmonisation in line with agreed plans, and the Chairperson of the Assembly should submit the report of the Assembly to each of the Assemblies of the RECs; the RECs should submit their reports to the Chairperson of the AUC who should take them into account in his report to the Assembly. The decisions taken by the Assembly regarding the RECs should be transmitted to the latter by the Chairperson of the Commission	129. AUC, Assembly	Accepted as amended
	130. The Assembly should adhere to its Decision AU/Dec.112 (VII) recognizing only 8 RECs as pillars of the Union. The AU Summit held in Banjul in 2006 recognized the existence of inter-government organizations outside the recognized RECs. To this end, the RECs should establish ties with inter-governmental organizations existing in their respective regions	130. Assembly	Accepted as amended
	135. The existing Coordination Committee should be made more strategic and hold regular meetings focused on RECs major policies and, strategies geared towards the implementation of the stages contained in the Abuja	135. RECs, AUC	Accepted as amended

AU Organ/African Entity /Institution	Recommendations of the Panel	Actors at various levels	Observations/Recommendations of the Executive Council
	Treaty. It is imperative that the Chief Executives should personally attend these meetings		
	136. Member States may need to consider reviewing their multiple memberships to RECs with a view to maximising their inputs to continental integration	136. Member States	Accepted as amended
	137. The AUC should be pro-active role in the harmonisation and coordination of the RECs towards accelerating the process of creating an African Common Market and the African Economic Community.	137. AUC	Accepted as amended
UNECA and AfDB	143. AfDB should play a more prominent role in resource mobilisation in implementing integration programmes and projects at national, regional and continental levels particularly in the acceleration of integration and transformation process.	143. AfDB	Accepted as amended
	All Member States should pay their dues in time. In that respect attention should be given for a deadline to be set for payment of assessed contributions. A decision needs to be taken by the Assembly for Member States to pay their contributions not later than four months after the adoption of the AU budgets;	149. Member States	Accepted as amended

RECOMMENDATIONS OF THE AUDIT PANEL REJECTED BY COUNCIL

AU Organ/African Entity /Institution	Recommendations of the Panel	Actors at various levels	Observations/Recommendations of the Executive Council
Assembly	1. The Assembly should revert to one ordinary annual session. If necessary, an Extraordinary Session can be convened as appropriate.	1. Assembly	Rejected. Maintain two annual Summits, one of which is thematic
	4. In order to ensure policy continuity, the Chairperson of the Assembly should, henceforth, serve for two years.	4. Assembly	Rejected. The term of office of the Chairperson of the Assembly should be one year with a possibility of extension
Executive Council	7. The Executive Council should be redesignated as a Council of Ministers.	7. Assembly to make decision, Commission to prepare the legal documents in consultation with PRC	Rejected. Maintain the Executive Council as it is.
	9. The Ministers of Foreign Affairs will constitute one of the Councils of Ministers and in the event that the agenda of a Council of Foreign Affairs Ministers involves elements pertinent to other sectors, relevant Ministers will be invited to join	9. Assembly to decide	Rejected
Specialised Technical	11. The sectoral Council of Ministers will substitute the STCs as provided for under Article 14 (3).	11. Assembly, Council	Rejected. Put in place STCs in accordance with

AU Organ/African Entity /Institution	Recommendations of the Panel	Actors at various levels	Observations/Recommendations of the Executive Council
Committees			the relevant provisions of the Constitutive Act and finalise the study on their configuration and number. Member States are invited to carry out the necessary consultations to this effect in accordance with decision EX.CL/Dec.316 (X).
	26. Consideration should be given to the adoption of a non-renewable mandate for the Commissioners for one term of office for six years only.	26. AUC, ACHPR	2 options proposed. (i) Maintain the status quo by keeping the Charter as it is (ii) reduce the mandate to three years renewable once and modify the Charter accordingly.
	36. The Chairperson and Deputy Chairperson should be men and/or women with known vision and a commitment to pan-Africanism and continental integration. They must have experience in governance. Their election should be unrelated to their regions	36. Member States, Council	Rejected. Maintained the selection criteria in force
	38. The election of the Commissioners should be de-linked from the portfolios that they will occupy. The responsibility for assigning portfolios, monitoring and	38. Assembly, Council	Rejected

AU Organ/African Entity /Institution	Recommendations of the Panel	Actors at various levels	Observations/Recommendations of the Executive Council
	managing the performance of the Commissioners should be assumed by the Chairperson in his capacity as Chief Executive Officer of the Commission		
	39. The portfolios of the Departments of the AU Commission should be rationalised by the Chairperson of the Commission in consultation with the Chairperson of the Assembly and in accordance with agreed strategies and priorities of the Union	39. AU and AUC Chairpersons, PRC and Council	Rejected
	41. For subsequent elections, the Chairperson and the Deputy Chairperson should be elected one year before the Commissioners	41. Assembly, Council	Withdrawn on the recommendation of the Chairperson of the Panel
	42. In the light of the above recommendations and in view of the special circumstances prevailing, it is imperative that the Assembly adopt modalities for the election of the next Commissioners.	42. Assembly	Withdrawn on the recommendation of the Chairperson of the Panel
	52. A Unit appropriately staffed in the office of Chairperson of the Commission should serve as the link to the Chairperson of the African Union.	52. AUC	Rejected, status quo maintained
	53. The Chair of the African Union should establish a corresponding focal point in the Office of the Head of State or Government	53. Assembly	Rejected, status quo maintained

AU Organ/African Entity /Institution	Recommendations of the Panel	Actors at various levels	Observations/Recommendations of the Executive Council
	71. The working languages of the Commission should be English and French	71. Council	Rejected
	84. Ministries of Foreign Affairs should ensure that all relevant ministries and other branches of the executive as well as NCAUA in each country, are informed about and are invited to contribute to the agenda items that concern them at forthcoming summits	84. Member States	Rejected
	85. The PRC should ensure that the reports of the NCAUA are submitted periodically to the Secretary of the Commission	85. PRC	Rejected
	86. The Office of the Secretary to the Commission, through the PRC, should obtain regular reports from the NCAUA, for their compilation, analysis and submission to the Council and Assembly for further action thus ensuring the promotion of best practices among Member States	86. AUC	Rejected
Permanent Representatives' Committee	103. The powers and functions of the PRC as listed in Rule 4 of its Rules of Procedure be reviewed in such a manner that its oversight functions will be carried out by the Advisory Sub-Committee on Administrative, Budgetary and Financial Matters whose members should preferably come from the Ministries of Finance	103. PRC	Rejected. Maintain the status quo. Strengthen the role of the PRC by using experts from Member States to consider specific issues

AU Organ/African Entity /Institution	Recommendations of the Panel	Actors at various levels	Observations/Recommendations of the Executive Council
	132. IGAD, whose membership is entirely included in COMESA, should entrust the latter with integration programmes and projects along the stages laid down in the Abuja Treaty while it focuses on issues of drought and desertification, peace and security	132. IGAD, COMESA	Rejected
	133. CEN-SAD should provide full support to the AUC in mobilisation of resources for financing continental and inter-regional programmes and projects, and should also play a supporting role in the acceleration of the integration process; (See Chapter 13)	133. CEN-SAD	Rejected
	158. An African firm of international repute should be appointed by the Executive Council on the basis of an open tender to audit every four years the accounts of all AU Organs and report to the PRC	158. AUC	Rejected. Seek the services of general auditors from Member States on the basis of an open tender to audit every four years the accounts of all AU Organs and report to the PRC

ADMINISTRATIVE ISSUES REFERRED TO THE COMMISSION FOR CONSIDERATION AND APPROPRIATE ACTION

AU Organ/African Entity /Institution	Sub-Category	Recommendations of the Panel	Actors at various levels	Observations/Recommendations of the Executive Council	Recommendation/ Action Taken
AU Commission	Administrative	43. The Secretary to the Commission should be the head of the African Union Commission staff and be responsible for inter-departmental and directorate coordination;	43. Assembly	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The Commission has reviewed this proposal thoroughly while seeking advise on the practice within the UN on which the Audit Panel presumably based its recommendation. We find that there is no parallel in that organization. (see attachment) Accordingly, the Commission maintains that the coordinating responsibility for the work of the Commission should remain with the Chairperson, who would be assisted by his Director of Cabinet, under whom the Secretary of the Commission serves.

AU Organ/African Entity /Institution	Sub-Category	Recommendations of the Panel	Actors at various levels	Observations/Rec ommendations of the Executive Council	Recommendation/ Action Taken
					<p>The office of the Director of Cabinet should be strengthened to assist effectively in this role with technically competent staff. Internal procedures for intra-departmental coordination should also be reinforced to support this role via regular meetings of directors, interdepartmental committees and emphasis on cross-cutting programmes supervised by the Policy Cabinet.</p>
	Internal Procedure	<p>44. Mandatory monthly meetings of the Commissioners to be chaired by the Chairperson and serviced by the Secretary to the Commission should be held. The Secretary to the Commission should prepare and circulate the</p>	44. AUC	<p>Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13th Ordinary Session of the Executive Council in June 2008</p>	<p>The Commission has taken this recommendation on board and the implementation process has begun</p>

AU Organ/African Entity /Institution	Sub-Category	Recommendations of the Panel	Actors at various levels	Observations/Rec ommendations of the Executive Council	Recommendation/ Action Taken
		minutes of the meetings in the working languages of the Union;			
	Internal Procedure	45. A schedule of monthly meetings of Directors should be adopted. These meetings should be held before that of the Commissioners, convened and serviced by the Secretary to the Commission. The Directors' report should be submitted for consideration at the monthly meetings of the Commissioners;	45. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The Commission has taken this recommendation on board and the implementation process has begun
	Internal Procedure	46. Prior to the budgeting and reporting process, there should be an annual inter-departmental planning, reporting and learning retreat of Commissioners, Directors and other relevant staff	46. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The Commission has initiated the process for implementation of this recommendation

AU Organ/African Entity /Institution	Sub-Category	Recommendations of the Panel	Actors at various levels	Observations/Rec ommendations of the Executive Council	Recommendation/ Action Taken
	Internal Procedure	47. The Secretary to the Commission should monitor the submission of mission reports and ensure that the Chairperson is regularly briefed;	47. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The Secretary to the Commission lacks broad competence and authority over mission in different Departments. Directors should necessarily oversee mission reports in their respective departments and should submit monthly or quarterly overviews to their Commissioners or in case of those in the Office of the Chairperson, through the Director of Cabinet. The Secretary of the Commission can compile the reports and provide an overall picture to Council and Assembly at Summits, if required.
	Internal Procedure	48. A shared intranet system should be established for the exchange of non-public Commission documents and departmental folders	48. AUC	Referred to the AUC for consideration and appropriate action and submit a	The Commission is initiating measures to implement this recommendation.

AU Organ/African Entity /Institution	Sub-Category	Recommendations of the Panel	Actors at various levels	Observations/Rec ommendations of the Executive Council	Recommendation/ Action Taken
		for plans, budgets and progress reports		report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	
	Internal Procedure	49. The minutes of the Directors' meetings should, with the appropriate sensitivity, be made available to all staff members of the Commission, thereby bridging the communication divide	49. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The Commission has taken this recommendation on board and initiated the process of implementation.
	Structural	50. The proposed e-governance project linking all AU Organs, RECs and Member States should be accelerated to facilitate greater links between departments and relevant line-ministries concerned with regional integration	50. AUC, Member States, RECs	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The Commission endorses the recommendation and has initiated the process of implementation.
	Administrative	51. The Office of the Secretary to the Commission should be strengthened in terms of human resources and logistics to deliver	51. AUC, PRC	Referred to the AUC for consideration and appropriate action and submit a	The Commission endorses the recommendation and has initiated the process of

AU Organ/African Entity /Institution	Sub-Category	Recommendations of the Panel	Actors at various levels	Observations/Rec ommendations of the Executive Council	Recommendation/ Action Taken
		effectively and efficiently to enable it to meet the new responsibilities to be assigned to it		report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	implementation. It will work with the PRC Sub-Committee on Structures to facilitate this process
	Structural	54. The urgent establishment of an African Union Service Commission (AUSC) to be responsible for recruitment, making appointments and promotion and enforcing discipline	54. Assembly, Council	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The Commission has taken a Decision on strengthening the existing institutional mechanism for promotion, recruitment/appointment, discipline and staff welfare matters. This includes the setting up of APPROB, A Bureau of Appointment and greater involvement of Departments along with the use of relevant resource personnel from outside. This mechanism has replaced the former reliance on consultants. In addition, the Special Ad hoc Administrative Tribunal and Special Resource Mechanism

AU Organ/African Entity /Institution	Sub-Category	Recommendations of the Panel	Actors at various levels	Observations/Rec ommendations of the Executive Council	Recommendation/ Action Taken
					approved in Maputo is being reactivated. The proposal for an African Union Service Commission, as proposed, is not feasible. It has no parallel in the UN as supposed. Also, it would detract from the authority and responsibility of the Chairperson of the Commission as envisaged in the Statutes. It is hard to envisage the role of a Chief Executive that precludes promotion, control and discipline of staff under his authority.
	Structural	55. That the (AUSC) should comprise five members, one from each region appointed by the Assembly on the recommendation of the Council on four-year terms renewable only once. Only persons with the	55. Assembly, Council	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the	Same as above

AU Organ/African Entity /Institution	Sub-Category	Recommendations of the Panel	Actors at various levels	Observations/Rec ommendations of the Executive Council	Recommendation/ Action Taken
		appropriate experience and expertise in national/international recruitment and human resources management should be appointed. They should meet at least twice a year on a fixed schedule with appropriate specialised resource-persons drawn from the departments. This body should also elaborate a code of conduct and discipline for all staff. In exceptional cases, the (AUSC) can hold extra meetings		Executive Council in June 2008	
	Structural	56. That the Council should take a decision to increase the quota proportionately across the continent in line with the formula approved in Maputo, taking in account the increased number of posts	56. Council	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The Commission endorses the recommendation and would accordingly submit a draft decision to Council for action.
	Structural	57. Further, that the Council	57. AUC, PRC,	Referred to the	The Commission

AU Organ/African Entity /Institution	Sub-Category	Recommendations of the Panel	Actors at various levels	Observations/Rec ommendations of the Executive Council	Recommendation/ Action Taken
		should take a decision to the effect that in the case of the failure to recruit competent and qualified candidates from under-quota countries, the relevant Embassies be informed and the African Union Service Commission should be free to recruit the best candidates regardless of their nationality. This system should be kept under constant review	Council	AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	endorses the need to broaden information spectrum through appropriate liaison with Embassies and would take necessary measures in this regard.
	Structural	58. That the Commission should establish a paid programme of Young Professionals and a Voluntary Internship Programme to inculcate pan-African perspectives and skills in the next cadre of professional African leadership	58. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The Commission is already developing an African Volunteers Corps Programme that already includes a Young Professional and Voluntary Internship programme. Action will be accelerated to finalize the proposal soon for consideration of Council and Assembly.
	Structural	59. The setting up of a system whereby conditions of	59. AUC	Referred to the AUC for	The Commission has taken necessary action

AU Organ/African Entity /Institution	Sub-Category	Recommendations of the Panel	Actors at various levels	Observations/Rec ommendations of the Executive Council	Recommendation/ Action Taken
		service for staff are regularly reviewed and brought to international standards, as far as possible, with a view to attracting and retaining the best staff		consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	in this regard and Council has already adopted a related decision. The Commission urges Council to scrupulously and faithfully implement the aforesaid decision.
	Administrative	60. The swift adoption of the draft Staff Rules and Regulations	60. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The Commission has already acted appropriately in this respect
	Structural	61. The Commission should establish links with a network of African Universities and research Institutions. This linkage should be used to make known the work of the Commission, and to promote the vision and understanding of Pan-Africanism. The	61. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The Commission will take appropriate measures to facilitate this recommendation by building on its civil society and education programmes which are already in place.

AU Organ/African Entity /Institution	Sub-Category	Recommendations of the Panel	Actors at various levels	Observations/Rec ommendations of the Executive Council	Recommendation/ Action Taken
		Commission should also advertise staff vacancies through this network			
	Internal Procedure	63. A programme to ensure gender mainstreaming in all activities of the AU should be developed	63. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	Appropriate action is being taken to facilitate this and to build upon the advances of the African Union and the work of the Gender Department in this regard.
		68. The Commission should develop a data base of qualified women at all levels similar to the one now established at the United Nations; and,	68. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The Commission has directed the Gender Directorate in close cooperation with all other Departments to facilitate this data base/
	Administrative	69. The Commission should review its Organisational design and culture and make appropriate gender-sensitive modifications	69. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to	Same as above.

AU Organ/African Entity /Institution	Sub-Category	Recommendations of the Panel	Actors at various levels	Observations/Rec ommendations of the Executive Council	Recommendation/ Action Taken
				the 13 th Ordinary Session of the Executive Council in June 2008	
	Structural	70. The adoption of the proposals made by the Conference Services Directorate in their review of August 2007 to restrict translation to official documents and overhaul the technological capacity of this Directorate and put in place a modern Conference Directorate of the Union	70. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The Commission will finalize and submit proposals soon for consideration by Executive Council organs for approval.
	Structural	74. The Commission should be appropriately strengthened to serve as a secretariat to the PRC	74. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The Commission's proposal for Strengthening the Office of the Secretary of the Commission would take on board this requirement.
	Administrative	76. A thorough cost-benefit analysis needs to be carried out on the future of	76. AUC	Referred to the AUC for consideration and	The Commission is of the view that this exercise would not be

AU Organ/African Entity /Institution	Sub-Category	Recommendations of the Panel	Actors at various levels	Observations/Rec ommendations of the Executive Council	Recommendation/ Action Taken
		<p>existing offices and prior to the opening of new ones. The analysis should also review the competencies of the staff required to manage these offices. Such an analysis should inform on the need to maintain, relocate or close the present stations. Such a study should be undertaken without delay and encompass the overhauling of the reporting systems of these offices to the Commission</p>		<p>appropriate action and submit a report thereon to the 13th Ordinary Session of the Executive Council in June 2008</p>	<p>useful at this stage will appoint consultants and set up a working group to carry out this analysis and submit an appropriate report and recommendation to the next Ordinary Summit of Council in January 2009.</p>
	Administrative	<p>77. Urgent action needs to be taken for the filling of vacancies in such stations as Brussels and Geneva where very complex negotiations affecting Member States are ongoing with little or no input from these offices</p>	77. AUC	<p>Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13th Ordinary Session of the Executive Council in June 2008</p>	<p>The Commission is already taking action on this.</p>
		<p>78. With regard to the technical offices, efforts should be undertaken to audit their</p>	78. AUC	<p>Referred to the AUC for consideration and</p>	<p>The Commission will establish an internal panel to undertake this</p>

AU Organ/African Entity /Institution	Sub-Category	Recommendations of the Panel	Actors at various levels	Observations/Rec ommendations of the Executive Council	Recommendation/ Action Taken
		performance and outreach		appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	responsibility and provide appropriate reports to Council and Assembly.
	Structural	79. The AUC should implement the Assembly Decision taken in 2001 in Lusaka on the Specialised Agencies so as to determine their continued relevance	79. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The AUC is already taking action on this. Consultants have been engaged to work with AUC and will submit an appropriate report in January 2009.
	Administrative	80. The contract to review the Strategic Plan and develop information management systems should be suspended forthwith and an independent evaluation be commissioned to review the performance of the three contracts. Depending on the findings, a decision should be taken to continue, cancel and/or re-negotiate the current	80. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The contract has already expired and will not be renewed.

AU Organ/African Entity /Institution	Sub-Category	Recommendations of the Panel	Actors at various levels	Observations/Rec ommendations of the Executive Council	Recommendation/ Action Taken
		contract			
		81. In future, management and administrative development plans should be driven internally on an inclusive and participatory basis	81. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The Commission endorses this proposal and has taken it on board.
	Structural	82. The findings of this Audit, if accepted, should inform any future Strategic Plan	82. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The Commission endorses this position and has taken it on board.
	Internal Procedure	89. The Communications Unit regularly and proactively should reach out to the African and international media and broadcast Union priorities and achievements by anticipating the need for	89. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the	The Communication Unit is taking this on board as part of its development process.

AU Organ/African Entity /Institution	Sub-Category	Recommendations of the Panel	Actors at various levels	Observations/Rec ommendations of the Executive Council	Recommendation/ Action Taken
		press briefings, holding conferences and monitoring the press by keeping a media file;		Executive Council in June 2008	
	Internal Procedure	90. The Communications Unit should undertake learning opportunities to build the confidence and skills of Commissioners, and provide them with comprehensive media support	90. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	Same as above.
	Administrative	91. The Preparation of a policy on information disclosure and access for adoption by the PRC, modeled on international best practices should be undertaken. This policy should provide for automatic publication of most documents, as well as the right for African citizens to request and obtain access to all official documents, except where explicitly categorised as confidential according to	91. AUC, PRC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The Commission has already taken necessary action on this as it fully supports the proposals.

AU Organ/African Entity /Institution	Sub-Category	Recommendations of the Panel	Actors at various levels	Observations/Rec ommendations of the Executive Council	Recommendation/ Action Taken
		published, restrictive criteria. Denial of access should be subject to an appeal procedure			
	Administrative	92. The exploration of new media technologies that could allow for papers to be downloaded directly by state officials in their capital cities, thus circumventing the need for their missions in Addis Ababa to manually pass on the documentation	92. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The Commission will take necessary measures to facilitate this proposal as part of its IT development process.
	Administrative	93. The publication on the AU website of the draft agendas for summit meetings and supporting documents (including the AU Commission Chairperson's report on activities, and documents submitted on agenda items by Member States) as soon as they are distributed to Member States	93. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The Commission believes that AU Member States would themselves have to take an appropriate decision in this regard and direct the Commission accordingly.

AU Organ/African Entity /Institution	Sub-Category	Recommendations of the Panel	Actors at various levels	Observations/Rec ommendations of the Executive Council	Recommendation/ Action Taken
	Administrative	94. Resourcing and improving of the AU website, in particular, to keep all details up-to-date, provide a search function and archive system and complete those sections that are currently empty	94. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The Commission is taking necessary action in this regard as part of the processes of improving its outreach and communications programme.
	Administrative	95. The Women, Gender and Development Directorate should establish a steering committee to draw up the programmes for their respective pre-summit forums, publicly announce the meetings, invite papers and presentations on the summit themes and solicit interest in participation	95. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The recommendation touches on programme administration by the Women and Gender Directorate and has been referred to them for consideration and appropriate action.
	Structural	96. Since CIDO will continue to play the role of the secretariat to the ECOSOCC, it is important to strengthen the department particularly in the areas of staffing and budget	96. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the	The Commission endorses this recommendation and will work with the PRC Sub-Committee on Structures and the PRC to strengthen the Department

AU Organ/African Entity /Institution	Sub-Category	Recommendations of the Panel	Actors at various levels	Observations/Rec ommendations of the Executive Council	Recommendation/ Action Taken
				Executive Council in June 2008	accordingly. The recommendation has also been endorsed by the Extra-Ordinary Session of Council under ECOSOCC.
	Internal Procedure	97. Initiate consultations on revised criteria for observer status for civil society Organisations at the AU that would increase the number of qualifying Organisations	97. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The Commission has already commenced action in this regard.
	Internal Procedure	98. Adopt clear criteria to govern and advertise the process by which civil society Organisations may obtain support from the AU Commission for their accreditation to attend AU summits	98. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The Commission has already taken action through the work on observer status and accreditation to ECOSOCC
	Adminitrative	99. ECOSOCC should explore in collaboration with the Commission creative ways of generating interest in the	99. ECOSOCC, AUC	Referred to the AUC for consideration and appropriate action	The Commission will support ECOSOCC in any endeavour to generate greater

AU Organ/African Entity /Institution	Sub-Category	Recommendations of the Panel	Actors at various levels	Observations/Rec ommendations of the Executive Council	Recommendation/ Action Taken
		AU across the continent by use of events such as AU Games, re-branding of national passports to also state the African Union, popularisation of the anthem and symbols of the AU as well as the propagation of the history of Pan-Africanism and the African identity		and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	interest in AU and its activities.
	Structural	100. The Commission, after consulting appropriately, should fully exercise its mandate contained in its Statutes to play a more assertive coordinating and representational role in the global policy arena	100. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The Commission is already doing this through the strategic partnership programme and relations with UN, OAS, etc.
	Structural	102. The Assembly needs to respect its own decision with regard to the integration of NEPAD into the AU and set clear timeframes and benchmarks with a	102. Assembly	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary	Following the Algiers meeting of the HSIGC and subsequent meeting in Addis Ababa and Senegal, the NEPAD integration process is now

AU Organ/African Entity /Institution	Sub-Category	Recommendations of the Panel	Actors at various levels	Observations/Rec ommendations of the Executive Council	Recommendation/ Action Taken
		completion point by the end of 2008		Session of the Executive Council in June 2008	advanced with a clear roadmap for implementation. The Commission will continue to support the efforts of the Assembly in this regard.
	Administrative	107. The Commission should issue a calendar of meetings to the PRC for the following year, three months before the end of each year. Both the Commission and the PRC should adhere to that calendar, unless there are unforeseen circumstances	107. AUC, PRC	Referred to the AUC in liaison with the PRC	The Commission will take necessary measures in this regard in close cooperation with PRC.
	Administrative	108. The PRC should ensure that its Sub Committees meet regularly in order to support the work of the PRC, interaction with the AU Commission and preparation of the work of the Council	108. PRC	Referred to the AUC in liaison with the PRC	Same as above.
The Economic, Social and	Administrative	109. A register should be opened at the Commission for the registration of CSOs	109. AUC, ECOSOCC	Referred to the AUC for consideration and	The Commission through CIDO is initiating work in this

AU Organ/African Entity /Institution	Sub-Category	Recommendations of the Panel	Actors at various levels	Observations/Rec ommendations of the Executive Council	Recommendation/ Action Taken
Cultural Council		and professional associations based on criteria laid down in the ECOSOCC Statute. This list must be updated from time to time and serve as the database for the Organisation of ECOSOCC processes		appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	area. The development of this register is to be closely coordinated with the programme for mapping African CSOs within the framework of AU-EU Joint Strategy as a cost/benefit endeavour.
	Administrative	110. ECOSOCC should be fully and effectively operationalised without further delay;	110. ECOSOCC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The Commission is consulting with the Chair of the Union to launch the Permanent General Assembly as soon as possible and to implement Executive Dec. – that has already been taken in this regard.
Financial Resources of the AU	Administrative	145. The practice of buying open tickets should be further audited to ensure that the Commission is receiving value for money and that expenditure is not being unnecessarily incurred;	145. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The Commission is studying this proposal with a view to taking appropriate action.

AU Organ/African Entity /Institution	Sub-Category	Recommendations of the Panel	Actors at various levels	Observations/Rec ommendations of the Executive Council	Recommendation/ Action Taken
	Structural	146. The Travel Unit should be separated from the Procurement Unit, it being understood that, international procurement procedures and standards are followed;	146. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	Same as above.
	Structural	147. The Ernst and Young recommendation to the effect that all other “procurement issues be managed centrally and any exceptions such as decentralising some procurement operations be duly documented and approved in Council should be implemented”;	147. AUC, Council	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The Commission recognised the challenge posed by this section of the report. Steps have already been taken to improve the management of the Commission’s resources, and in particular, the recommendations of Ernest and Young (E&Y) on the financial and management structures and processes of the Commission are being implemented though

AU Organ/African Entity /Institution	Sub-Category	Recommendations of the Panel	Actors at various levels	Observations/Rec ommendations of the Executive Council	Recommendation/ Action Taken
					<p>some of the equipment and instrument envisaged for this purpose are not yet on board. The Commission has also designed and implemented an initiative known as to process facility that will ensure the development of quality project proposals, efficient and transparent fund handling and procurement as well as quality and timely reporting. It will also serve as a bridging mechanism for two years until the new Integrated Management Information System (IMIS) will be put in place. IMIS will absorb the systems, templates and costs developed under its auspices.</p>

AU Organ/African Entity /Institution	Sub-Category	Recommendations of the Panel	Actors at various levels	Observations/Rec ommendations of the Executive Council	Recommendation/ Action Taken
					Also, within the context of the Process facility, the Commission has completed the preparation of the Revised Procurement Manual. An Audit Charter and Manual has been finalised with the assistance of the firm Deloitte and Touche.
	Structural	148. In recognition of the large volume of tickets bought, the limited number of staff in the Travel Unit, and in the interests of best governance practice, a travel agency be appointed following a transparent tendering process;	148. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The Commission is reviewing this proposal with a view to taking appropriate actions and will report accordingly to Council and Assembly.
	Administrative	150. The urgent adoption of the procurement manual and the implementation of related recommendations made in the Ernst and Young 2006 report without delay;	150. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the	The Commission recognised the challenge posed by this section of the report. Hence, steps have already been taken to improve the management of the

AU Organ/African Entity /Institution	Sub-Category	Recommendations of the Panel	Actors at various levels	Observations/Rec ommendations of the Executive Council	Recommendation/ Action Taken
				Executive Council in June 2008	Commission's resources, and in particular, the recommendations of Ernest and Young (E&Y) on the financial and management structures and processes of the Commission are being implemented though some of the equipment and instrument envisaged for this purpose are not yet on board. The Commission has also designed and implemented an initiative known as to process facility that will ensure the development of quality project proposals, efficient and transparent fund handling and procurement as well as quality and timely reporting. It will also

AU Organ/African Entity /Institution	Sub-Category	Recommendations of the Panel	Actors at various levels	Observations/Rec ommendations of the Executive Council	Recommendation/ Action Taken
					<p>serve as a bridging mechanism for two years until the new Integrated Management Information System (IMIS) will be put in place. IMIS will absorb the systems, templates and costs developed under its auspices. Also, within the context of the Process facility, the Commission has completed the preparation of the Revised Procurement Manual. An Audit Charter and Manual has been finalised with the assistance of the firm Deloitte and Touche</p>
	Administrative	151. The Commission should indicate invariably the Programme Budget Implications while presenting programmes for approval;	151. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary	The Commission is reviewing this proposal with a view to making appropriate recommendations and taking necessary action.

AU Organ/African Entity /Institution	Sub-Category	Recommendations of the Panel	Actors at various levels	Observations/Rec ommendations of the Executive Council	Recommendation/ Action Taken
				Session of the Executive Council in June 2008	
	Administrative	152. Further investigation into the handling of the production of African Union passports and the construction of a hotel on African Union land should be carried out;	152. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	On the African Union passport, the Commission wishes to note that due process was followed in the production of the passport. The Commission agrees however that an error was made by not referring the technical work done by experts to the Tenders Board. On the hotel for African Union, the Commission wishes to emphasize that no contract was awarded to MIDROC for the building of a hotel as contracts can only be awarded where a party has a project for which it is paying. This is not the case here. The role of the Commission has been that of a

AU Organ/African Entity /Institution	Sub-Category	Recommendations of the Panel	Actors at various levels	Observations/Rec ommendations of the Executive Council	Recommendation/ Action Taken
					<p>facilitator to ensure that a first class hotel is built near the AU Headquarters. Every aspect of the MOU for the building was done openly and with the full consent and involvement of the Government of Ethiopia. This should be clarified with the Government of Ethiopia which is represented in Council and Assembly.</p>
	Structural	153. Posts of financial and administrative assistants should be established in all departments;	153. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The Commission would study this recommendation further in consultation with the PRC Sub-Committee on Structures with a view to taking appropriate action.
	Internal Procedure	154. Directors must be held accountable for reporting promptly and accurately on the level of budget	154. AUC	Referred to the AUC for consideration and appropriate action	The Commission would take necessary action in this regard within the framework of

AU Organ/African Entity /Institution	Sub-Category	Recommendations of the Panel	Actors at various levels	Observations/Rec ommendations of the Executive Council	Recommendation/ Action Taken
		variances;		and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	its current efforts to strengthen its financial, accounting and auditing systems.
	Administrative	155. The PRC and the Commission should adhere to the stated practice in the Statutes of the Commission of developing a two-year programme budget rather than the current practice of annual budgeting;	155. AUC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The Commission would study this proposal accordingly in close consultation with the PRC and make appropriate recommendations for consideration of Council and Assembly.
	Administrative	156. The PRC and the Commission should hold annual mid-term reviews;	156. AUC, PRC	Referred to the AUC for consideration and appropriate action and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	The Commission will work with the PRC with a view to taking appropriate action in this regard.
	Administrative	157. The Commission should take necessary measures to comply, without delay, with the	157. AUC, PRC	Referred to the AUC for consideration and appropriate action	The Commission will take necessary action in this regard within the framework of its

AU Organ/African Entity /Institution	Sub-Category	Recommendations of the Panel	Actors at various levels	Observations/Rec ommendations of the Executive Council	Recommendation/ Action Taken
		recommendations of internal and external auditors		and submit a report thereon to the 13 th Ordinary Session of the Executive Council in June 2008	current efforts to strengthen the accounting and auditing systems.

**PROPOSED AFRICAN UNION PERMANENT MISSION
TO VIENNA – AUSTRIA**

A. The Rationale:

1. As it is the case for New-York and Geneva, the Capital City of Austria which is Vienna hosts the Headquarters of some United Nations specialized or affiliated Institutions such as:

- the International Atomic Energy Agency (IAEA);
- the United Nations Industrial Development Organization (UNIDIO);
- the United Nations Organization on Drugs and Crimes (UNODC);
- the OPEC Funds;
- the Organization of the Security and Cooperation in Europe (OSCE);
- the International Institute for Applied Systems Analysis (IIASA)
- the Comprehensive Nuclear Test Ban Treaty Organization (CTBTO)
- the United Nations Commission on International Trade Law (UNCITRAL)

2. Because of these Institutions and the large size of the African Group made up of 16 resident and 28 non-resident Missions of Member States of the African Union, Vienna is an important International center of great interest to Africa. This Group is de-linked from the Decision making organs of the Union and does not benefit from guidelines from the Commission when it comes the time to adopt Common positions related to issues they deal with in Vienna. There has been a number of problems in the past when positions adopted by the Executive Council are different from those of the African Group in Vienna due to lack of Coordination.

3. To service the African Group in Vienna and assist it in coordinating its views in relation to issues they deal with on a daily basis with the UN Agencies there, it is proposed to establish a permanent Mission of the African Union in Vienna.

4. The Austrian government has already offered to allocate office space, close to the Vienna International Centre to that effect and to provide office equipment to the tune of USD 100,000.00. The offer for office space is for several years in view of the fact that an initial agreement of three to five years can be renewed. The Austrian President re-affirmed this offer when he visited Addis-Ababa on 21st February 2008 and an Austrian special Envoy has visited the Commission three times to discuss the offer demonstrating the earnestness of Austria's offer.

B. Mandate

5. To develop and maintain constructive and productive institutional relationships between the African Union and United Nations institutions and other International institutions located in Vienna; to coordinate the working relations between the African Group and the

Commission and other Organs of the Union, as well as to promote a common view within the African Group in international negotiations.

C. Core functions

6. The core functions of such office could be summarized as follows:

- (i) To assist in coordinating activities of the African Group;
- (ii) To advise Headquarters on strategies for addressing emerging issues at the UN or the International Fora;
- (iii) To assist Members States adopt common positions in the areas of concern;
- (iv) To circulate information on the AU and UN and other international organizations;
- (v) To assist the Commission prepare for the UN activities in Vienna
- (vi) To follow-up on AU/UN Programmes of Cooperation, as well as AU/other non-UN organizations represented in Vienna;
- (vii) To maintain contact with UN agencies based in Vienna;
- (viii) To follow-up on issues relating to NEPAD;
- (ix) To assist with procurement for the Commission and other Organs;
- (x) To inform AU Member States and UN and non-UN Institutions on AU activities;
- (xi) To facilitate the exchange of information between the AU and the UN and between AU and other organizations;
- (xii) To facilitate follow-up and work in all related agencies;
- (xiii) To assist in liaising with the African Diaspora in Austria and other surrounding Countries;
- (xiii) To reinforce African Union's relations with Austria.

D. Skill Profiles

7. The proposed office needs to have the skills related to the major activities of the Institutions in Vienna and as provided for in the various departmental requirements.

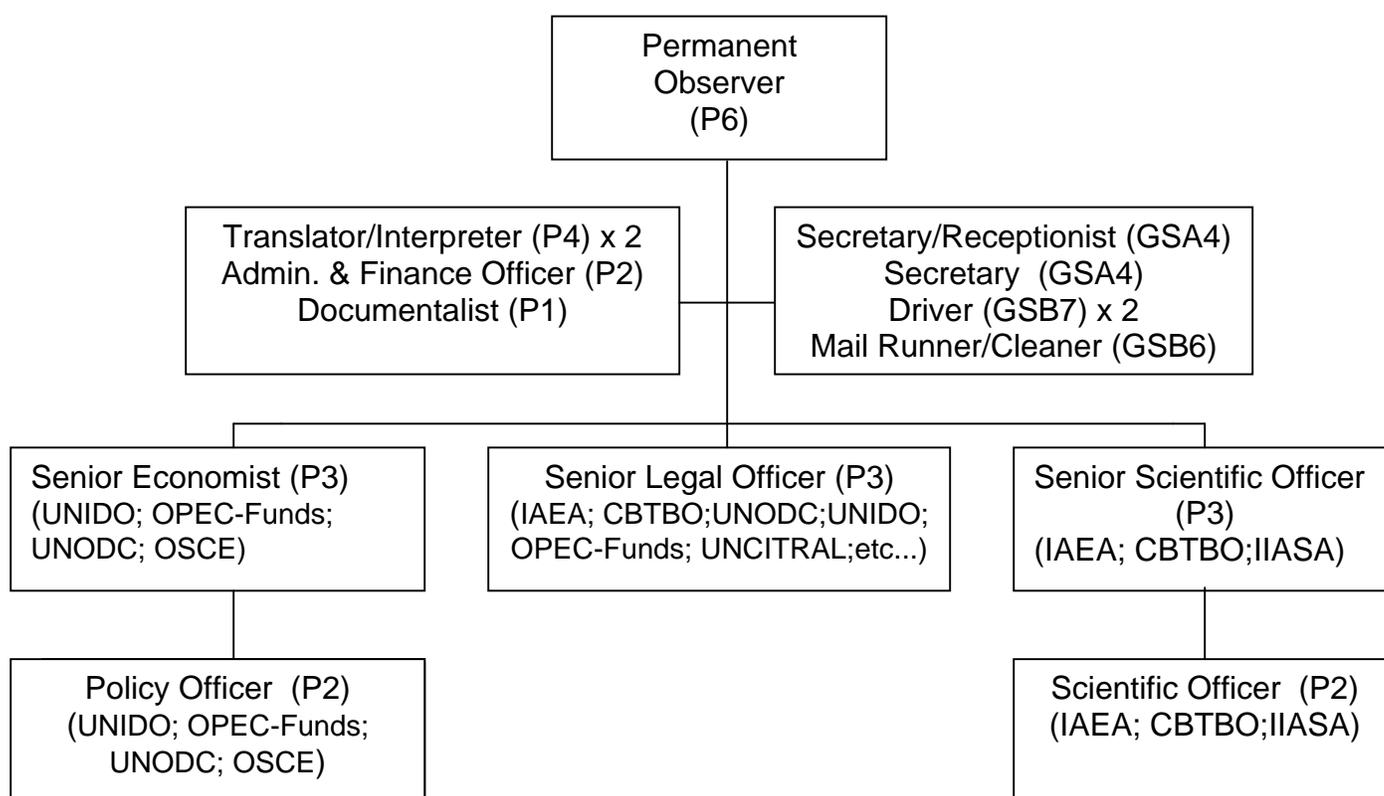
E. Structure and Staffing

The following structure and staff complement of fifteen (15) with grades are recommended for such an office:

- | | |
|---|------|
| - 1 x Permanent Observer (Head of Office) | - P6 |
| - 1 Senior Economist
(UNIDO; OPEC-Funds; UNODC; OSCE) | - P3 |
| - 1 Senior Scientific Officer
(IAEA; CTBTO; IIASA;) | - P3 |
| - 1 Senior Legal Officer
(All Organizations + UNCITRAL) | - P3 |
| - 1 Policy Officer (economic affairs)
(UNIDO; OPEC-Funds; UNODC; OSCE) | - P2 |

1 Scientific Officer (IAEA;CBTBO;IIASA)	-	P2
- 2 x Translator/Interpreter	-	P4
- 1 x Finance and Administrative Officer	-	P2
- 1 x Documentalist	-	P1
- 1 x Secretary	-	GSA4
- 1 x Secretary/Receptionist	-	GSA4
- 2 x Drivers	-	GSB7
- 1 x Cleaner/Mail Runner	-	GSB6

ORGANIGRAMME OF THE AFRICAN UNION'S PERMANENT MISSION VIENNA



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