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**UNIÃO AFRICANA**

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Addis Ababa, Ethiopia

P. O. Box 3243

Telephone: 5517 700

Fax: 5517844

Website: [www. Africa-union.org](http://www.Africa-union.org)

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**PERMANENT REPRESENTATIVES' COMMITTEE**

**Twenty-Ninth Ordinary Session**

**23 – 24 January 2015**

**Addis Ababa, Ethiopia**

**PRC/Rpt(XXIX)**

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**REPORT**

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## **REPORT OF THE TWENTY- NINTH ORDINARY SESSION OF THE PERMANENT REPRESENTATIVES' COMMITTEE (PRC)**

### **SECTION I: INTRODUCTION**

1. The Twenty-Ninth Ordinary Session of the Permanent Representatives' Committee (PRC) was held from 23 to 24 January 2015 in Addis Ababa, Ethiopia, under the Chairpersonship of H.E Hamadi MEIMOU, Ambassador of the Islamic Republic of Mauritania and Chairperson of the Permanent Representatives' Committee (PRC).

2. However, as is the practice, the PRC had earlier held preparatory meetings from 12 to 21 January 2015, during which it:

- i) Reviewed and adopted the Work Programme for the preparatory meetings of the PRC;
- ii) Reviewed and updated the draft agendas of the PRC, the 26th Ordinary Session of the Executive Council and the 24th Ordinary Session of the Assembly as well as the draft Programme of Events. With respect to the latter, an extensive discussion took place, more specifically on the list of speakers at the opening ceremony of the Assembly of the Union. Some delegations were of the view that all newly elected Heads of State and Government as well as departing Heads of State and Government should be given a slot of 3-4 minutes to address the Assembly during the opening ceremony on 30th January 2015. Others argued that it may not be well perceived, protocol-wise, to have some invited Guests address the Assembly at the opening on Day Two. The Commission on its part explained that it had been mandated by Malabo Decision Assembly/AU/Dec.542(XXIII) of June 2014, to make the programme of the official opening of the Sessions of the Assembly, efficient and effective and in so doing had used as starting point, compliance with the Rules of Procedure of the Assembly that limit the number of Speakers at the opening ceremony to 5. At the end of the debate, the following compromise was reached:
  - The four newly elected Heads of State and Government, namely, the Presidents of Zambia, Mozambique and Tunisia as well as the Prime Minister of Mauritius, would be given three (3) minutes each to address the Assembly at the opening ceremony on 30th January 2015. Subsequently, the PRC agreed to include the new President and Speaker of the Parliament of Libya and the President of Malawi, who will be participating for the first time in the Assembly. The Commission was later informed by Note Verbale from Mozambique that the new President will not be able to attend;

- The Speakers should be sensitized on the need to keep to the time allocation of three (3) minutes each. Concerned Ambassadors agreed to take necessary action in this regard;
  - The Chairperson of the Commission would bring the matter of the list of speakers at the opening ceremony to the attention of Heads of State and Government during their closed session, preceding the opening ceremony on 30th January 2015.
- iii) Considered several working documents on the items proposed for consideration by the 26th Ordinary Session of the Executive Council and the 24th Ordinary Session of the Assembly as well as the corresponding Draft Decisions, in accordance with Rule 4:1 (c) of the Rules of Procedure of the PRC.

**3.** As in the past, the PRC seized the opportunity of this Session to welcome new Permanent Representatives. In this connection, it welcomed the Permanent Representative of the Republic of Senegal, H.E. Mr. Momar Gueye, the Permanent Representative of the Republic of Zimbabwe, H.E. Mr. Albert Ranganai Chimbindi, the Permanent Representative of the Republic of Togo, H.E. Mr. Ekpao Nolaki and the Permanent Representative of the Republic of Rwanda, H.E. Mr. Mitali Protais.

**4.** In the course of its preparatory work, the PRC also had the opportunity to be briefed by the Director General of State Protocol of the Federal Democratic Republic of Ethiopia, and the Chief of Protocol of the African Union Commission, on the Logistics, Protocol and Security Arrangements for the upcoming 24th Ordinary Session of the Assembly of the Union. More specifically, the briefing touched on aspects such as:

- i) Contact person for information;
- ii) Escorts of Honor/Escorts of Protocol;
- iii) Registration/Accreditation (Passes, Badges and Invitations);
- iv) Accommodation and Hospitality;
- v) Local transportation;
- vi) Car passes;
- vii) Security arrangements outside AU Headquarters and Fire arms;
- viii) Media and press equipment;
- ix) Aircraft clearance;
- x) Visa formalities;
- xi) Arrival and Departure ceremonies at Bole International Airport;
- xii) Official functions (Summit, Reception, Lunch and Dinner);
- xiii) Conference Website;
- xiv) Protocol and Administrative guidelines.

**a) OPENING CEREMONY****i) Brief Statement by H.E. Hamadi MEIMOU, Ambassador of the Islamic Republic of Mauritania and Chairperson of the Permanent Representatives' Committee (PRC)**

5. The Chairperson of the PRC, H.E. Hamadi Meimou, welcomed all members of the PRC and representatives of AU Organs. He underscored the importance of strengthening the cooperation between the PRC and the Commission towards the attainment of the objectives of the African Union. He commended the Chairperson of the AU Commission and her team for the efforts in this regard.

6. The Chairperson called on the PRC to address the challenges Africa is facing, on the basis of the directives given by the leadership of the Union. He underscored the need to target African youth, as drivers of development in Africa, by giving them greater attention in skills development and education to empower them to combat poverty, unemployment, and under-development, among other things. He highlighted the importance of combating terrorism and building intrinsic capacities for the implementation of Agenda 2063. He acknowledged the key feature of 2015 as an important turning point, and urged all Member States to speak with one voice at international fora, drawing inspiration from the common African position in each area. He wished Africa, the Commission and policy organs every success in their determination to do better. He welcomed the sound collaboration between the PRC and the Commission.

7. In conclusion, he seized the opportunity to commend the dedication and commitment of the Chairperson of the Commission, Deputy Chairperson, Commissioners and staff at all levels, in the performance of their duties.

**ii) Opening Remarks by Mr. Erastus Mwencha Deputy Chairperson of the African Union Commission**

8. In his opening remarks delivered on behalf of the Chairperson of the Commission, the Deputy Chairperson, H. E. Mr. Erastus Mwencha welcomed all members of the Permanent Representatives Committee (PRC), representatives of AU organs and Regional Economic Communities to the 29<sup>th</sup> Ordinary Session of the PRC, which is the clearing house and preparatory body for successful meetings of higher policy organs. He recalled the reference to the year 2015 made by the UN Secretary General as the year of historic crossroads and urged Africa to seize every opportunity with a renewed determination to succeed. He acknowledged progress made in the last decade to rebrand Africa from a hopeless continent to the next frontier for development and prosperity and emphasized the need to continue to improve in all sectors.

9. The Deputy Chairperson urged Member States to ensure that Africa's voice is heard in all international negotiations in 2015 and that its interests are safeguarded. With regard to Agenda 2063, he informed the PRC that the first ten year implementation plan should be ready for adoption by the June Summit. He urged the PRC to take decisions that would put Africa on a solid foundation for irreversible progress,

particularly on the need to finance its development from its own resources through flagship projects under Agenda 2063. He then briefed PRC on actions taken by the Commission in the areas of agriculture, women empowerment, institutional and financial improvements, such as:

- Reforms in Travel Policy
- Fraud and Corruption Policy
- Establishment of advisory bodies
- New Financial Regulations and Rules
- Introduction of IPSAS (International Public Service Accounting Standards)
- Establishment of AU Foundation
- Development of a communication strategy

**10.** On the Ebola crisis, he lauded the joint effort by all in addressing the Ebola outbreak especially through the creation of ASEOWA. He extended appreciation to all countries and business people, tourists and volunteers who came together in solidarity to contain the Ebola outbreak. He called on Africa not to relent its fight against Ebola and that together Africans shall defeat Ebola. On this note, he wished the Committee fruitful deliberations.

**11.** The PRC interrupted its deliberations to observe a minute of silence in memory of King Abdullah bin Abdulaziz of Saudi Arabia, an invaluable partner of Africa and an eminent personality of the Arab world who passed away on Friday, 23 January 2015.

#### **b) ATTENDANCE**

**12.** In attendance were the following Member States: Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cape Verde, Cameroon, Chad, The Comoros, Congo, Côte d'Ivoire, Democratic Republic of Congo, Djibouti, Egypt, Equatorial Guinea, Guinea, Eritrea, Ethiopia, Gabon, The Gambia, Ghana, Kenya, Lesotho, Liberia, Libya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Niger, Nigeria, Rwanda, Saharawi Arab Democratic Republic (SADR), Senegal, Seychelles, Sierra Leone, Somalia, South Africa, South Sudan, The Sudan, Swaziland, Tanzania, Togo, Tunisia, Uganda, Zambia, Zimbabwe.

#### **c) ADOPTION OF THE AGENDA**

**13.** The PRC adopted the following agenda:

- i) Opening
- ii) Consideration of the activities of the PRC:
  - A. Consideration of the Reports of the PRC Sub-Committees;
  - B. Other Activities of the PRC:

- Consideration of the Recommendations from Hawassa Retreat
- Actions taken toward fighting against Ebola outbreak, and
- Briefing on G20

- iii) Consideration of the Report of the Commission;
- iv) Consideration of the Reports of STC/Ministerial Meetings;
- v) Consideration of the Reports of other AU Organs;
- vi) Consideration of the working documents and draft decisions in preparation for the 26th Ordinary Session of the Executive Council, Addis Ababa, Ethiopia, from 26 to 27 January 2015;
- vii) Any Other Business.

**d) ORGANIZATION OF WORK**

**14.** The PRC adopted the following working hours:

Morning : 10:00 Hours – 13:00 Hours  
Afternoon : 15:00 Hours – 18:00 Hours

**SECTION II: CONSIDERATION OF THE ANNUAL REPORT OF THE COMMISSION FOR 2014 - EX.CL/866(XXVI)**

**15.** The Report was presented by H.E. Mr. Erastus Mwencha, Deputy Chairperson of the Commission who provided the following:

- i) 2014 Highlights, based on the first year of the implementation of the 3rd Strategic Plan (2014-2017), with focus on concrete outcomes;
- ii) Africa in 2014 – challenges and opportunities;
- iii) 2015: The Years Ahead.

**16.** After the presentation, comments and observations were made and clarification sought as follows:

- i) The Commission was commended for the quality of the report and its lucid presentation by the Deputy Chairperson;
- ii) Some errors were highlighted, and it was suggested that information contained in the report be factual and precise;
- iii) The Commission should provide a comprehensive report on the 50<sup>th</sup> Anniversary celebrations;

- iv) The Commission should prepare a report on the outcomes and actions of Member States on the 2014 Year of Agriculture and Food Security, in order to serve as concrete examples;
- v) The update on the assessed contributions of Member States should be regular and factual;
- vi) Work on alternative sources of financing the AU should be prioritized and concluded expeditiously, in order to support the implementation of Agenda 2063, regional and continental flagship programmes;
- vii) An update information should be provided on the African Institute for Remittances and the operationalization of its “transitional structure”;
- viii) The assessment missions of the PRC Sub-Committee on Refugees should be clarified, especially with respect to the mission to Zimbabwe;
- ix) The issue of the International Criminal Court (ICC) should be a standalone item on the agenda of the Executive Council and Assembly;
- x) Ratification of a legal instrument by any Member State should be communicated to all Member States;
- xi) Certain qualifications which categorized the outcome of elections held in Member States should be deleted from the report, in the absence of agreed criteria for such qualifications. The Deputy Chairperson committed to issuing a corrigendum to the Annual Report commending the Government and people of Egypt for peacefully overcoming the challenges related to the transition process;
- xii) The AU should intensify efforts to end the four-decade long conflict in Western Sahara;
- xiii) The report should provide information on the latest peace efforts in South Sudan;
- xiv) The goal of silencing the guns by 2020 should be predicated on reconciliation encapsulated within the framework of the “Madiba Decade for Reconciliation in Africa.”

**17.** Following the comments and observations made, the Deputy Chairperson indicated that all errors, as well as value judgments in the report will be reflected in the report of the PRC. He added that a report will be prepared by the Commission on the 50th Anniversary celebrations, including an audited account. He applauded the efforts towards ensuring lasting peace on the continent and the operationalization of the African



Peace and Security Architecture (APSA), as well as development geared towards regional and continental integration.

**18.** In addition, the Commissioner for Rural Economy and Agriculture underscored the action areas of the 2014 Year of Agriculture and Food Security, its implementation plan as well as its strategy that will be adopted at the forthcoming Assembly Session. The Legal Counsel of the Commission also addressed the issue of ratification of AU Treaties, Charters and other Legal Instruments by Member States as well as their communication to all Member States. He also addressed the proposal for the ICC report to be a standalone item.

**19.** Finally, the Chair of the PRC Sub-Committee on Refugees clarified the missions of the Sub-Committee to Member States, stressing that the mission to Zimbabwe was linked to the flooding in that country.

**20.** In conclusion, the PRC recommends to the Executive Council to:

- i) **Take Note** of the Annual Report of the Chairperson and the pertinent comments and observation by Member States;
- ii) **Commend** the Commission for the quality of the report and in particular its innovative focus on outcomes and results and a shift from activity based reporting;
- iii) **Further commend** the Commission and its Chairperson for the activities undertaken and progress made during the reporting period, in line with the Strategic Plan 2014-2017;
- iv) **Commend** all the Member States that successfully held free and fair elections during the year 2014;
- v) **Reiterate** its decision on silencing of the guns on the continent by 2020 as well as its decision on “the Madiba Nelson Mandela Decade (2014 – 2024) of Reconciliation in Africa” and **call** upon the Commission and all other stakeholders to take the necessary measures to implement of these decisions;
- vi) **Request** the Commission to give priority to the issue of resource mobilization and alternative sources of funding during 2015 as a way of ensuring predictable and sustainable financing for the organization;
- vii) **Call for** the urgent establishment of the post reconstruction centre and the implementation of the Decisions of the Policy Organs to that effect;
- viii) **Further call on** the Commission to take the necessary measures, in collaboration with relevant stakeholders, in ensuring the full operationalization of the African Institute for Remittances (AIR). In this

regard, **commend** the Republic of Kenya for providing the necessary logistics support to enable the take-off of the Institute;

- ix) **Call on** the Commission to inscribe on the Agenda of the Policy Organs, a stand-alone item on the ICC;
- x) **Take Note** of the progress made in the mediation efforts in the intra-South Sudan conflict;
- xi) **Call for** enhancement of AU's engagement in the search for a solution to the long conflict in Western Sahara in accordance with Decision EX.CL/Dec.758(XXII) of the Executive Council and other resolutions on the issue;
- xii) **Reaffirm** its support of efforts to find a quick solution to the crisis in Libya and the support of all international initiatives aimed at finding a comprehensive settlement to the said crisis;
- xiii) **Call on** the Commission to accurately reflect all payments of assessed contributions by Member States;
- xiv) **Further call on** the Commission to submit a report that highlights the successes and challenges encountered in the implementation of the theme of 2014, The Year of Agriculture & Food Security;
- xv) **Call on** the Commission to submit a report on the celebration of the 50th Anniversary of the OAU/AU.

### **SECTION III: CONSIDERATION OF THE PROGRESS REPORT OF THE COMMISSION ON THE AU SUPPORT AGAINST EBOLA IN WEST AFRICA (ASEOWA) - EX.CL/867(XXVI)**

**21.** The Report was presented by the Commissioner of Social Affairs, after which Members of the PRC made the following comments and observations:

- i) Concern was expressed that the Ebola Virus Disease continues to inflict misery on people and the negative socio-economic impact of the outbreak on the Continent was highlighted;
- ii) Delegations lauded the leadership role of the Chairperson of the Commission in the mobilization of resources in the fight against Ebola;
- iii) The fast progress ASEOWA operation made in the fight against Ebola is laudable and the momentum should be maintained;
- iv) The courage of Youth Volunteers was acknowledged;

- v) Appreciation was expressed to countries, partners and the private sector that are contributing to the fight against Ebola;
- vi) Concern was expressed on border closures, travel restrictions and stigmatization of Ebola affected countries and a call made for their reversal;
- vii) A call was also made for the extension of the mandate of ASEOWA;
- viii) Pledging countries and partners were reminded to honour their pledges;
- ix) Member States requested an update on the SMS resource mobilization initiative;
- x) The Commission was called upon to revisit the report to remove the following countries mentioned in paragraph 12 thereof, namely: Chad, Equatorial Guinea, Kenya, Mauritius, Rwanda, Seychelles, South Africa, South Sudan, Mauritania and Democratic Republic of Congo, which indicated that they had not closed their borders;
- xi) Mauritania, Algeria and Niger made voluntary financial contributions of US\$1,200,000, US\$1,000,000 and US\$200,000 respectively to Ebola affected countries; and, therefore, requested to be included on the list of AU Member States that made contributions; and further called for a comprehensive list of assistance made by AU to the Ebola affected countries;
- xii) The Commission is to provide US\$500,000 directly to Ebola affected countries, namely: Guinea, Liberia and Sierra Leone;
- xiii) Concern was raised with reference to Paragraph 11 of the Report, over AU Member States whose Embassies in Addis Ababa had issued Note Verbales imposing travel restrictions to the citizens of Ebola affected Countries. The countries mentioned in Paragraph 12 of the report, including DRC and Mauritania, among others, denied having imposed such travel bans;
- xiv) The decision of the Emergency Council Session of 8th September 2014 was recalled, requesting countries still applying such restrictions and stigmatisation measures to remove them; and countries that had complied with this call were commended;
- xv) Delegations reiterated the recommendation made by PRC on 28 October 2014 for the convening of a global conference;
- xvi) A Call was made for development of Africa's effective capacity for surveillance and detection of diseases and for the expediting the operationalisation of the proposal by the Federal Democratic Republic of Ethiopia for establishment of the African Centre for Disease Control and

Prevention; and for the center to be given a more coordinating role in regional and continental structures to address the Ebola crisis more effectively;

xvii) The Commission was requested to update the report.

22. In conclusion, the PRC recommends to the Executive Council as follows:

- i) **Take note** of the Report and the observations of Member States on the subject;
- ii) **Express immense satisfaction** to the Commission and its Chairperson for the invaluable efforts made to address the serious Ebola crisis in the West African region, particularly with the establishment of ASEOWA and the subsequent deployment of Health Volunteers from several Member States to assist the States affected by Ebola; **Also Express** its profound gratitude to the Health Volunteers who have courageously rendered outstanding services to our brothers and sisters in Guinea, Liberia and Sierra Leone;
- iii) **Commend** the great mobilisation of financial, human and material support, and the active solidarity of Member States, other friendly countries, regional and international organizations and institutions, as well as actors of the private sector, given to Member States affected by Ebola;
- iv) **Also Commend** the SMS Resource Mobilization Initiative undertaken with the cooperation of mobile telephone companies;
- v) **Further Commend** ASEOWA for its activities in the region and **Recommend** the extension of its mandate to enable it to continue its work and assist other Member States which might be affected by Ebola;
- vi) **Recall** the Executive Council Decision of 8 September 2014 recommending, among other things, the non-closure of borders, non-stigmatization and lifting of other restrictions on the Member States affected and their citizens, and **Thank** all Member States for their cooperation in this area; **urges** the Member States to lift these restrictions if they have not already done so;
- vii) **Commend** Member States like Uganda and the Democratic Republic of Congo that have gained rich experience in combating Ebola, and **Urge** them to provide their expertise to affected Member States;
- viii) **Recommend** to the Assembly to adopt the Special Declaration on Ebola, with particular emphasis on the contribution of the youth in combating the epidemic;
- ix) **Also Recommend** that the African Union, in collaboration with the ECA and the AfDB, adopt a resolution on the cancellation of the external debt of the 3

Member States affected by the Ebola epidemic (Guinea, Liberia and Sierra Leone) in order to reduce the burden of their efforts at development and economic recovery;

- x) **Reiterate** the PRC recommendation made at its 28 October 2014 meeting regarding the convening of an international conference on combatting the Ebola epidemic;
- xi) **Request** the Commission to brief Member States regularly on developments in the Ebola epidemic and activities to fight it, particularly statistics on persons affected, a comprehensive list of all the contributions received from Member States and other donors a detailed statement of the funds mobilized under the Commission's SMS initiative as well as the use of all the resources obtained;
- xii) **Urge** Member States and all the partners to continue providing assistance to the Member States affected;
- xiii) **Appeal** for accelerated research into a vaccine to combat Ebola for enhanced protection of the populations;
- xiv) **Recommend** to the Commission to pay directly to the Member States affected by Ebola (Guinea, Liberia and Sierra Leone) the US\$500,000 initially announced;
- xv) **Place** this item under **Part B** of the draft agenda of the Executive Council.

#### **SECTION IV: CONSIDERATION OF THE REPORTS ON AFRICAN UNION AGENDA 2063 - EX.CL/868(XXVI)**

##### **1. Report of the Commission**

**23.** The Report was presented by the Commissioner for Economic Affairs who recalled the key stages of the Agenda 2063 preparation process. The Commissioner was then complemented by a representative of the Office of the Chairperson of the Commission who dwelt at length on the structuring and content of the various parts of the Agenda. Agenda 2063 as presented comprises a Technical Document, a Popular Version and the first ten-year implementation plan.

**24.** Following these complementary presentations, the Commissioner was commended for the quality of the work accomplished and, in particular, for the participatory initiatives as reflected by the involvement of all the stakeholders. There was unanimity on the importance of this document which endows Africa with a vision, implementation of which will contribute to greater development of Africa's populations and enhance the continent's geopolitical presence in the international arena.

**25.** It is however with respect to implementation modalities that the delegations came up with the following observations and suggestions:

- i) The idea of endowing Africa with a vision at continental level is not entirely new. It is needful therefore to brainstorm on the causes of the failure of all previous strategic plans and draw appropriate lessons therefrom. One of the risk factors not mentioned is that of credibility;
- ii) The internal risk factors highlighted in the Agenda may be summarized under two main headings, namely, conflicts which generate socio-political instability and inadequate financial resources. It is necessary in this regard to upscale the role of Obasanjo Commission tasked with the issue of alternative sources of financing and Thabo Mbeki's Commission in charge of issues of peace and security;
- iii) Similarly, exogenous vulnerabilities should be taken into account and analysed in order to guard against their possible negative impacts;
- iv) Popularization and ownership of Agenda 2063 by both Member States and all segments of Africa's populations call for establishment of well-informed communication strategy;
- v) Effective and efficacious ownership presupposes that Agenda 2063 should be financed by Africa's own resources or at least with the smallest possible external financing. It is therefore absolutely necessary to devise a clear and precise financing mechanism;
- vi) The first ten-year implementation plan should be submitted for consideration by the Conference of Ministers of Finance;
- vii) Ahead of the Summit on Development in July 2015, which is a follow-up to the Monterrey process, Africa should develop a common vision so as to harmonise its development approach with the approaches developed at the United Nations;
- viii) Agenda 2063 does not spell out the modalities for its harmonisation with national development plans;
- ix) Agenda 2063 did not take on board the issues of the total decolonisation of Africa;
- x) The projects set for in the first ten-year implementation plan on the blue economy are premature, given the fact that the brainstorming on the economy of seas and oceans is still work in progress;

- xi) The statistics used date back to 2010, and this in principle means a time lag of five years. How can this gap be corrected with the most recent and reliable statistical data?
- xii) The Agenda does not accord deserved attention to issues concerning the rural sector and does not sufficiently take on board the situation of Island Member States nor that of landlocked Member States.

**26.** The Chairperson of the Commission, after welcoming all the inputs as sources of enrichment of the Agenda, provided the following clarifications:

- i) Taking on board the risk factors is crucial to the success of Agenda 2063. In this regard, a Retreat will be organised with top officials after the January 2015 Assembly session. The sole objective of the Retreat will be to analyse all the risk factors identified and discuss in-depth the causes of the failure of previous development programmes;
- ii) Communication strategy will also be accorded special attention as its relevance is equally a crucial factor of success. Detailed thought will be given to this strategy with a view to broadening the involvement of all the players;
- iii) Total decolonisation of Africa remains a priority objective given the fact that certain parts of the continent are still under the yoke of occupying powers;
- iv) The first ten-year implementation plan will not yet be submitted for adoption by the policy organs. The plan will be examined by Member States' planning experts, as well as by Finance Ministers before submission to the Assembly adoption procedure;
- v) Agenda 2063 should be seen as a common endeavour requiring the effective involvement of everyone for its implementation. It is therefore not a matter for only to Governments of Member States or private businesses;
- vi) In the course of 2015, a meeting bringing together public sector players and the academia will be convened to enlist their respective inputs before submission of the Agenda to the policy organs;
- vii) The credibility crisis which marred previous continental programmes will not affect Agenda 2063 because of its openness to all stakeholders;
- viii) With respect to financing, the Obasanjo Commission on alternative sources of financing will be taken on board and the Regional Economic Communities will be involved. The principle of subsidiarity will be respected through a clear distinction of the responsibility of the various levels (continental, regional and national);

- ix) After adoption of Agenda 2063 by the policy organs, the restructuring process will be set in motion with a view to adjusting the AU to the exigencies of implementing the Agenda.

**27.** On their part, the Commissioner for Economic Affairs and a representative of the Office of the Chairperson provided the following complementary clarifications:

- i) The issue of risk management is of cardinal importance. In this respect, all the observations made will be used to fine-tune the Agenda so that it may be recognized as the outcome of a collective endeavour;
- ii) The question of total decolonisation of Africa did not elude the authors of the Agenda. It is expected that by 2020 all residues of colonisation will be eradicated from the continent;
- iii) Factual data which have been communicated have seen variations. However the final version of the Agenda will contain only harmonised figures. Obtaining statistical data that are recent and harmonised remains a challenge which the Commission is committed to address. However, Member States are slow at ratifying the African Charter on statistics which will contribute to a better harmonization of statistical data;
- iv) The last version of the document has made use of the most recent statistical data;
- v) The issue of landlocked Member States has been adequately addressed in the Agenda;
- vi) In general terms, the Agenda is a dynamic document which remains open to all inputs/criticisms, thereby facilitating the transition from the phase of consultation to that of implementation.

**28.** In conclusion, the PRC recommends to the Executive Council as follows:

- i) **Take note** of the Report on the Technical Document of the Agenda 2063, the Popular Version of the recommendations contained therein, and the comments of Member States relating thereto;
- ii) **Express** its deep appreciation to the Commission for the sustained efforts being made to broaden consultations on the Agenda 2063 with all Member States, the RECs and all other stakeholders including the African civil society, the private sector, the youth and women, intellectuals, etc. in accordance with the conclusions of the January 2014 Bahr Dar Ministerial Retreat;



- iii) **Also express** its deep appreciation to all Member States as well as to all other stakeholders who have provided the Commission with their inputs to the Agenda 2063;
- iv) **Invite** all Member States to continue to take ownership of Agenda 2063 with a view to its integration into their development plans and initiatives;
- v) **Also take note** of Agenda 2063 first ten-year implementation plan and agree to consider it at a second ministerial retreat, before the next AU Assembly (June-July) as proposed by the Ministerial Follow-up Committee;
- vi) **Underscore** the imperative need to place special emphasis on ways and means to deal effectively with internal and external risks, including:
  - a) **Ensuring** the financial independence of the African Union through the mobilization of internal resources and a credible and independent first ten-year implementation plan and of Agenda 2063 in its entirety;
  - b) **Ensuring** the effective implementation of adopted plans and decisions taken, based on past experiences;
  - c) **Preventing and combatting** decisively the seeds of division that may affect the African people;
  - d) **Preventing** outside interference likely to jeopardize the objectives of Agenda 2063 and safeguarding the dignity of Africa in its quest for a dynamic and balanced socio-economic development;
- vii) **Also underscore** the need to develop an effective communication strategy to promote the objectives of Agenda 2063 among all the segments of the African population which are also expected to take ownership of the Agenda;
- viii) **Emphasize** the establishment of an effective mechanism of coordination of all plans and initiatives relating to Agenda 2063, in particular the need to create an interface between the meeting of the Conference of Ministers of Finance and Economic Planning scheduled for March 2015 and the World Summit on Development slated for July 2015 in pursuit of the Monterrey Process;
- ix) **Ensure** the integration of the specific needs of island states and landlocked countries in the plans and initiatives of the continent;
- x) **Recommend** the adoption by the Assembly of Agenda 2063 and its popular version, bearing in mind that the consultations for its gradual and smooth implementation must be pursued with all Member States and all stakeholders with continually updated, credible and harmonized statistics,

particularly in relation to the proposed first ten-year implementation plan to be tabled before the Assembly in June 2015 by the Bahr Dar Ministerial Follow-up Committee on the basis of recommendations expected from the already proposed ministerial retreat;

- xi) **Take the necessary measures** for the establishment of appropriate structures to facilitate the functioning of the African Union and the smooth conduct of Agenda 2063.

## 2. Report of the Ministerial Follow-Up Committee

29. The Report was presented by the Commissioner for Trade and Industry. There was no debate.

30. In conclusion, the PRC recommended to the Executive Council as follows:

- i) **Take Note** of the Report, the recommendations contained therein and the observations of Member States on the subject;
- ii) **Endorse** the recommendations made on the following issues:
  - a) Adoption by the Assembly of Agenda 2063 (Framework and Popular Version), submission of the Draft Ten-Year Implementation Plan to experts from Member States, Ministries of Planning and Finance, since Member States are expected to take this into account in their national development plans, the RECs, and subsequently, an AU Commission/ECA/AfDB/RECs coordination meeting as well as the next Ministerial Retreat before consideration of the Plan at the June 2015 Assembly Session;
  - b) Reduction of the time given for the opening and closing ceremonies of the Assembly of the Union;
  - c) Finalization of the Study on the Rationalization of the Working Methods of the Organs of the African Union;
  - d) Consideration of partnerships at the next Ministerial Retreat envisaged, bearing in mind the objectives of Agenda 2063;
  - e) Speeding up and finalization of the study on key integration issues, namely:
    - Integrated high-speed rail network; and
    - 
    - Pan-African online services network;
  - f) On the Pan-African Online Services Network;
    - To approve the budget of 23,000 US dollars required;

- To request the AUC to take charge of some key projects as partners are unlikely or unwilling to fund some strategic projects, especially the preparatory activities;
- g) On the Grand Inga Dam project, to ensure rapid progress on implementation of infrastructure projects, quality leadership, coordination and resources must all come together for effective delivery of infrastructure projects through PIDA's institutional architecture;
- h) On Single Aviation Market
- to reaffirm its support for the establishment of a Single African Air Transport Market, in line with the Yamoussoukro Declaration and Decision;
  - to encourage members of the Committee to champion this matter in their countries and regions;
  - To request the Commission to prepare a clear proposal for consideration by the Summit on the way forward for African aviation
- i) The Ebola crisis;
- j) Silencing the Guns by 2020 project;
- k) Elections scheduled in Africa in 2015;
- l) Preparation of the 2015 theme "Year of Women's Empowerment and Development Towards Africa's Agenda 2063";
- m) Establishment of an African annual platform involving stakeholders from political, business, private sector, academic and civil society sectors;
- n) Establishment of a Universal Vision;
- o) The African passport;
- p) Establishment of a Continental Free Trade Area;
- q) Formulation of a strategy for commodities;
- iii) **Emphasize the need** to harmonize all the above-mentioned programmes with the work of the Specialised Technical Committees (STC);
- iv) **Also Emphasize the need** to review the structures of the African Union, in conformity with the recommendations of the Bahr Dar Ministerial Retreat.

**SECTION V: CONSIDERATION OF THE REPORT OF THE COMMISSION ON ALTERNATIVE SOURCES OF FINANCING THE AFRICAN UNION (RECOMMENDATIONS OF THE AU CONFERENCE OF MINISTERS OF ECONOMY AND FINANCE) - EX.CL/869(XXVI)**

**31.** The report was presented by H.E. Mr. Erastus Mwencha, Deputy Chairperson of the Commission who highlighted the following:

- i) Background information on Alternative Sources of Financing;
- ii) Setting up of the Ministerial Working Group (MWG) and the outcome of its meeting in Washington DC, USA, on 10 October 2014;
- iii) Mandate bestowed on the MWG to submit its report directly to Council or Assembly of the Union at the next session.

**32.** After the presentation, members of the PRC made comments and observations and sought clarification as follows:

- i) Thanked the Deputy Chairperson for the lucid presentation and the background provided;
- ii) The issue of alternative sources of financing is critical for the AU to become independent of external partners;
- iii) The MWG had been given the mandate to report directly to Council or Assembly of the AU at its upcoming Session;
- iv) The MWG should first present its report to the Conference of Ministers of Economy and Finance holding in March 2015, and subsequently to Council;
- v) The Commission should provide clarification on the mandate given the MWG.

**33.** Following the above, the Deputy Chairperson stated that during the Joint AUC/EAC Conference of Ministers of Economy and Finance held in Abuja, Nigeria, in March 2014, the MWG was set up and mandated to work on modalities for implementation of the recommendations on alternative sources of financing the AU. He added that the Minister of Finance of Nigeria, in her capacity as Chair of that Committee, was mandated to brief Council or the Assembly on progress made.

**34.** On his part, the Legal Counsel of the Commission clarified the procedural status of the mandate given the MWG by the Conference of Ministers of Economy and Finance.

**35.** After lengthy discussions and failure to reach a consensus, the PRC felt that since the Report was from a Ministerial Working Group, established by the AU Conference of Ministers of Economy and Finance (CAMEF), it was not mandated to discuss it. The PRC therefore decided to submit the Report to the Executive Council for further action. It also invited the Commission to attach previous reports of the same MWG to the Report.

## **SECTION VI: CONSIDERATION OF THE REPORTS OF PRC SUB-COMMITTEES**

### **A. Report of the Advisory Sub-Committee on Administrative, Budgetary and Financial Matters - Doc. EX.CL/864(XXVI)i**

**36.** The Report on Administrative, Budgetary and Financial Matters was presented by H.E. Kongit Sinegiorgis, Ambassador of the Federal Democratic Republic of Ethiopia, on behalf of the Chairperson of the Sub-Committee, after which members of the PRC made the following observations and sought clarification as follows:

- i) The figures on the report pertaining to the contribution of the Member States should be corrected. This is in view of the discrepancies identified;
- ii) Information on assessed contributions should be circulated among the members of the PRC;
- iii) Clarification on funds mobilized by Afro-Arab group in 2014, as they are not appropriately reflected in consolidated financial report;
- iv) Request for supplementary budget should be made on exceptional basis;
- v) The Code of Ethics for AUC staff should be included in the draft decision for the consideration of the Executive Council;
- vi) Sub-committee meetings of the PRC should be chaired by a member of the Bureau of the Chairperson is not available.

**37.** In conclusion, the PRC recommends to the Executive Council as follows:

- 1. **Adopt** the Report of the Sub-Committee and the recommendations contained therein, and **take note** of Member States' observations on the subject;
- 2. **Endorse** the proposed supplementary budget amounting to US\$ 31,037,719.92 made up of US\$ 774,310.41 operating budget and US\$ 30,263,404.51 programme budget; this supplementary budget will be financed in the amount of US\$ 1,439,410.41 by Member States from the Reserve Fund, and US\$ 29,598,304.51 by the partners.

3. **Regularise** the expenditures incurred under supplementary budget;
4. **Urge** Member States to pay their contributions as quickly as possible to relieve the financial constraints currently facing the Union, and **request** the Commission to intensify its efforts at getting Member States to pay their outstanding contributions in time;
5. **Approve** AU Anti-Fraud and Corruption Policy;
6. **Explore** ways and means to improve the financing of the Union's programmes
7. **Request** the Commission to improve the budget preparation process with all available data in order to, as far as possible, avoid recourse to supplementary budget and virement in accordance with Article 17 of the Financial Rules and Regulations;
8. **Further Request** the Commission to constantly update the report to reflect all contributions received from Member States;
9. **Invite** the PRC to, as expeditiously as possible, examine the draft code of conduct for African Union functionaries and come up with appropriate recommendations

**B. Report of the Sub-Committee on Programmes and Conferences – Doc. EX.CL/864(XXVI)ii**

**38.** The Chairperson of the Sub-Committee H.E. Mahfud Rajab Rahiem, Ambassador of the State of Libya informed the PRC that the Sub-Committee on Programmes and Conferences had attempted twice to meet on 13th and 14th January 2015. He reported that on both occasions the meeting of the Sub-Committee could not take place because of lack of quorum. Following this development, the Sub-Committee agreed that the report should be presented to the PRC for consideration.

**39.** The PRC took note of the information and agreed to defer the consideration of the Report.

**C. Report of the Sub-Committee on Structural Reforms – Doc. EX.CL/864(XXVI)iii**

**40.** The meeting of the Sub-Committee on Structural Reforms did not take place.

**D. Report of the Sub-Committee on Audit matters – Doc. EX.CL/864(XXVI)iv**

**41.** The Report was presented by H.E. Lazare MAKAYAT-SAFQUESSE, Ambassador of the Republic of Congo and Chairperson of the Sub-Committee on Audit Matters, after which Members of the PRC made the following comments and observations:

- i) Queries were raised on travel expenditure;
- ii) The Commission was called upon to explain why partners seem reluctant to finance programmes;
- iii) Concern was expressed about the low rate of execution of programmes;
- iv) Concern was also expressed on the slow pace of recruitment at the Commission and about allowing people who have reached the age of retirement to continue working;
- v) A call was made for concrete and stiff measures or if need be, legal action to be taken against any staff that misappropriate funds or violate staff regulations;
- vi) The Chairperson of the Sub-Committee on Audit Matters should be tasked to draw up a list of cases of misappropriation, irregularities and violations;
- vii) The problem of governance within the Commission was highlighted;
- viii) A call was made for the strengthening of the Audit functions and systems as well as a review of staff, administrative and financial regulations.

**42.** In response, the Commission clarified that:

- i) The Commission is accountable and no misappropriation has taken place;
- ii) The Commission has regulations and measures have been put in place to curb fraud and discipline staff that breach regulations;
- iii) New Financial Rules and Staff Regulations and Rules were adopted by the Assembly in January 2014 in Addis Ababa and July 2010 in Kampala, respectively.

**43.** The PRC recommends to the Executive Council as follows :

- i) **Adopt** the Report and the recommendations contained therein and **Take note** of Member States' observations on this subject;

- ii) **Deplore** the poor rate of execution of programmes, mainly due to the lack of release on time, of partners' contributions to the programme budget largely attributable to the latter;
- iii) **Underscore** the need to examine the objective reasons at the root of the late release of the contributions expected from the partners;
- iv) As regards the 2013 financial reports of the AU Board of External Auditors including the reports in respect of AU Commission, the African Court on Human and Peoples' Rights, the Pan-African Parliament, the African Commission on Human and Peoples' Rights and NEPAD Agency, the PRC recommends to the Executive Council as follows:
  - Producing an implementation matrix for the Board of External Auditors' recommendations during consideration of the Programme Budget of all AU organs and institutions;
  - Need to ensure that, in preparing the Budget, there is prior confirmation of the funds expected from the partners before including such funds in the Budget;
  - Effectively implementing the system of disciplinary sanctions against those responsible for the discrepancies observed under the Financial Rules and Regulations and the Staff Regulations and Rules;
  - Speeding up on-going reforms especially the process of recruitment into vacant posts;
  - Establishing an inventory of material assets;
  - Preparing annual plans for the various structures on the basis of the Strategic Plan 2014/2017;
- vi) **Appeal** to the Commission and the organs to ensure strict compliance with the extant Financial Rules and Regulations and the Staff Regulations and Rules;
- vii) **Agree** to examine in greater detail at the appropriate time the report prepared by the Commission on the management situation of the AU Advisory Board on Corruption, as contained in the Draft Agenda of the Executive Council held in Malabo in June 2014;
- viii) **Bring to the attention** of the Executive Council the serious lapses highlighted in the Report of the Sub-Committee on Audit Matters and thus



**recommends** to the latter to engage with the Commission to expeditiously conduct investigation to identify and sanction those found responsible for the observed misappropriations and fraud, and submit to it a report thereon not later than the June/July 2015 Assembly session. It further **recommends** to the Commission to computerize the Audit Directorate for greater efficiency.

**E. Report of the Sub-Committee on Multilateral Cooperation – Doc. EX.CL/864(XXVI)v**

**44.** The Report was presented by H.E. Ahmat Awad Sakine, Ambassador of Chad and Chair of the Sub-Committee on Multilateral Cooperation

**45.** At the end of the presentation, comments and observations were made and clarifications sought as follows:

- i) The recommendations should include the need for partners to comply with AU rules governing the selection of countries to host meetings where such meetings are held in Africa;
- ii) The inference that can be drawn from the Report of the Subcommittee is that all partnerships are facing problems; hence the urgent need for an evaluation of all partnerships to provide the AU with a coherent strategy to enable it to retain control over the partnerships and derive the expected benefit therefrom;
- iii) The Commission is expected to submit for consideration by Member States the partnership evaluation report in accordance with the decision taken to this effect by the AU policy organs;
- iv) The report makes no mention of the partnership with the European Union. What is the explanation for this omission? Does it mean that no activities were undertaken during the reporting period under this partnership?
- v) Member States and partners must comply with the provisions of the Banjul Formula.

**46.** Reacting to the various questions raised, the Chair of the Sub-committee recognized the relevance of the comments and, in turn, urged the Commission to submit the Partnerships evaluation report as soon as possible.

**47.** In conclusion, the PRC recommends to the Executive Council to:

- (1) **Adopt** the Report, the recommendations contained therein, and **take note** of Member States' observations in this regard;

(2) **Recommend** to the Executive Council the following regarding the various partnerships;

**(i) TICAD VI:**

- **Encourage** Member States who are candidates to host this Summit (The Gambia and Kenya) to finalize their consultations as soon as possible;
- **Request** the Commission to consult with the co-organizers and the host country with a view to determining the date of TICAD VI Summit and thus facilitate the preparations;

**(ii) Africa-Arab World**

- **Invite** the Commission and the League of Arab States to mobilize the funds required for implementation of the 2014-2016 Consolidated Work Plan;
- **Commend** the efforts of Kuwait in the implementation of this partnership;

**(iii) Africa-Turkey**

- **Encourage** both parties to intensify their efforts towards implementation of the Action Plan;
- **Request** the Commission to start preparations for the joint meeting of experts in the first quarter of 2015 in Turkey to finalize the operationalization of the matrix of priority projects adopted in Malabo, Equatorial Guinea in November 2014.

**(iv) Africa-South America (ASA)**

- **Request** the Commission to initiate consultations with the South American side for the implementation of the 3rd ASA Summit conclusions and strengthening this partnership to achieve concrete results;
- **Also Request** the Commission, in cooperation with the South American side, to propose a date for the holding of the 4th ASA Summit in Quito, Ecuador;

**(v) Africa-China**

- **Urge** the African side to set up as a matter of urgency its own monitoring mechanism;

- **Examine** the proposal to raise the 6th Ministerial Conference to Summit level;

**(vi) Africa-Korea**

- **Invite** Member States to submit applications to host the 4th Africa-Korea Forum;
- **Request** the Commission, in cooperation with Korea, to begin preparations for the holding of the meeting of senior officials in March 2015 in Burkina Faso;

**(vii) Africa-India**

- **Request** the Commission to hold consultations with India to determine a new date for convening the 3rd Summit in India in 2015;
- **Urge** Member States that have been selected to host the Pan-African institutions offered by India to accelerate the establishment of such institutions;
- **Request** the Commission to expeditiously finalize the study on the evaluation of all the Strategic Partnerships by March 2015 at the latest and submit same to the Sub-Committee on Multilateral Cooperation;
- **Also Request** the Commission to prepare a guide on the rules governing relations between the AU and the strategic partners;
- **Underscore** the urgent need for scrupulous compliance with Banjul Formula by all the parties and **appeal** to the various partners to take account of the relevant AU decisions.

**F. Report of the Sub-Committee on Refugees, Returnees and Internally Displaced Persons in Africa – Doc. EX.CL/864(XXV)vi**

**48.** The report was presented by H.E. Manuel Jose Goncavles, Ambassador of the Republic of Mozambique and Chairperson of the Sub-Committee, after which members of the PRC made the following observations and sought clarification as follows:

- i) Member States should take action to end conflicts in the African continent in order to reduce proliferation of refugees and internally displaced persons;
- ii) The Zimbabwe mission conducted by the Bureau was well received and the Sub-Committee was commended for exhibiting gesture of solidarity and for

setting aside resources to re-settle the people of Zimbabwe who were internally displaced;

- iii) Congo ratified the Kampala Convention on the Protection and Assistance to Internally Displaced Persons;
- iv) Member States who have not ratified the Convention should do so in order to effectively deal with the situations of refugees, returnees and internally displaced persons (IDPs) in a harmonized way;
- v) The activities of M23 in DRC are regretted and have resulted in high number of displaced citizens;
- vi) The statistics on Refugees, Returnees and IDPs must be collected from Member State structures and sources as opposed to NGOs;
- vii) Chad is hosting huge numbers of refugees from Sudan, Central African Republic, Nigeria, as well as the returnees from Libya, but the report does not reflect this problem;
- viii) Mauritania also hosts scores of refugees from Mali but the report is silent about this reality. In respect to this, a proposal was made for the Sub-Committee committed to undertake a visit to Mauritania to assess the situation and gather requisite information and the Department of Political Affairs will compile statistics and report accordingly.

**49.** In conclusion, the PRC recommends to the Executive Council to:

- 1) **Adopt** the Report and the recommendations therein, and **take note** of the Report of the Commission on the Humanitarian Situation in Africa covering the period July – December 2014 as well as Member States' observations on the subject;
- 2) **Take special note** of the outcomes of the missions undertaken to Madagascar, Zimbabwe, Kenya and Central African Republic which demonstrate of the active solidarity of the African Union and all its Member States with the countries affected by the problem of refugees, returnees and internally displaced persons, and by natural disasters;
- 3) **Encourage** the Sub-Committee, in collaboration with the Commission, to continue to organize such solidarity missions to countries affected by these humanitarian challenges;
- 4) **Also encourage** the Sub-Committee to intensify its efforts vis-à-vis Member States at promoting AU legal instruments on humanitarian issues, particularly the AU Convention on the Protection and Assistance of Internally Displaced Persons in Africa;

- 5) **Invite** the Sub-Committee and the Commission to continue to exert effort for active preparation of a common African position for the World Humanitarian Summit due to be held in Istanbul, Turkey, in June 2016;
- 6) **Also invite** the Commission to continuously update its statistics on refugees, returnees and internally displaced persons through a mechanism for coordination with all the field players, including the concerned Member States, UNHCR and other humanitarian organizations operating in this domain;
- 7) **Reaffirm** the need for all the concerned players to facilitate the delivery of humanitarian assistance in conflict zones.

**G. Report of the Sub-Committee on Contributions – Doc. EX.CL/864(XXVI)vii**

**50.** The Report was presented by H.E. Ekpao Nolaki, Ambassador of the Republic of Togo and Chairperson of the Sub-Committee on Contributions, after which Members of the PRC made the following comments and observations:

- i) Concern was expressed about the huge amount of unpaid contributions by Member States;
- ii) Member States should pay on time their contributions to facilitate the work of the Commission;
- iii) The Commission urged to send out invoices early to facilitate timely payments; and
- iv) The Commission should update and circulate the list of contributions to capture the payments from all Member States before the Meeting of Executive Council

**51.** In conclusion, the PRC recommends the Executive Council to:

- i) **Adopt** the Report, the recommendations therein, and Member States' observations in this regard;
- ii) **Commend** the countries that have paid up their contributions and **encourage** other Member States to honor fully and on time their assessed contributions;
- iii) **Express** its deep appreciation to the development partners for their contributions and **invite** them to release their contributions in time to enable the African Union to implement its projects and programs;

- iv) **Invite** Member States to pay their contributions on time and **encourage** those that have arrears to pay up the amounts due;
- v) **Commend** the Republic of Madagascar for the initiatives taken by honoring 74% of its arrears of contributions; **encourage** Madagascar to maintain this momentum and request the latter to approach the Commission to work out the modalities for settling the remaining arrears, and **decide** to remove the temporary exemption instituted on Madagascar;
- vi) **Request** Member States in arrears for more than two years to honor their financial obligations in the shortest possible time to avoid falling under sanction in accordance with the rules and regulations in force; in this regard, **also request** the Ad Hoc Ministerial Committee on Scale of Assessment to consider the possibility of reducing the 2-year period to one year as part of strengthening the sanctions regime;
- vii) **Impose** sanctions on Central African Republic for failure to honor its financial obligations:
- viii) **Call upon** Somalia to contact the African Union to find ways and means to pay its arrears before the start of Executive Council Session and to comply with Executive Council Decision EX.CL/Dec.788 (XXIV);
- ix) **Request** the Commission to find an alternative solution to facilitate the payment by the Republic of The Sudan of its assessed contributions to the African Union on time, taking into account international sanctions imposed on that country; and **encourage** AU to continue with its efforts towards lifting the said sanctions;
- x) **Also Request** the Commission to constantly update the status of contributions and arrears of contribution and to regularly inform the Member States concerned, inviting them to meet their obligations;
- xi) **Invite** the Ad Hoc Ministerial Committee on Scale of Assessment to:
  - Speed up the process of review of the Member States' scale of assessment taking board international best practices and on the basis of the principles of equity and capacity to pay;
  - Study the possibility of increasing the number big contributors from 5 to 10 based on capacity to pay.
- xii) **Request** the Commission to review the status of contributions submitted to reflect new contributions received, before the opening of the January 2015 Executive Council and the Assembly Sessions.

#### H. Report of the Sub-Committee on Economic and Trade Matters – Doc. EX.CL/864(XXVI)viii

52. This Report was presented by H.E. Momar Gueye, Ambassador of the Republic of Senegal, after which members of the PRC made observations and comments as follows:

- i) The reformulation proposed in paragraph 15 (iii) of the Report is not agreeable and therefore the original formulation in the Report of Ministers in charge of mineral resource development should be reverted to;
- ii) There is need to consider the financial implications of the establishment of the two institutions on statistics referred to under “Any Other Business” as part of the Report;
- iii) Structural transformation is indeed a valid pillar for integration and therefore particular support is given to the two recommendations under paragraph 16 with regard to the establishment of the AMDC and the creation of a mineral resource division;
- iv) Togo participated in the meeting in observer capacity.

53. The Commission took note of the comments made.

54. In conclusion, the PRC recommended to the Executive Council to:

- i) **Adopt** the Report and the recommendations contained therein, and **Take Note** of the observations of Member States on the subject.

#### I. Report of the Sub-Committee on NEPAD –Doc. EX.CL/864(XXVI)ix

55. The Report was presented by H.E. Momar Gueye, Ambassador of the Republic of Senegal and Chair of the PRC Sub-Committee on NEPAD, after which members of the PRC made comments and observations and sought clarification as follows:

- i) The existing mechanisms for communication and interaction between the NEPAD Planning and Coordination Agency (NPCA), the PRC, Member States and all relevant stakeholders should be strengthened;
- ii) There is need for collaboration, synergy and harmonization between NPCA and the PRC Sub-Committee on Multilateral Cooperation with respect to partnership activities;
- iii) NPCA should regularly brief and update the PRC, RECs and its stakeholders on its activities;

- iv) The electronic database of NPCA should be accessible to Member States, RECs and all stakeholders in order to boost information flow;
- v) To what extent has NPCA been fully integrated into the structures and processes of the AU?

**56.** In response, the Chair of the PRC Sub-Committee on NEPAD said he has taken note of the suggestion that interaction between NPCA and its stakeholders should be strengthened. In addition, the Director of Programmes at NPCA shed light on the existing mechanisms between NPCA and AUC, including the joint coordination committee.

**57.** In conclusion, the PRC recommends to the Executive Council to:

- i) **Adopt** the report, the recommendations contained therein, and comments by Member States in this regard;
- ii) **Request** the NEPAD Agency, in collaboration with the Commission, to harmonize the activities of the partnerships it undertakes with those of the Sub-Committee on Multilateral Cooperation for greater impact and profitability to the Union;
- iii) **Encourage** the dynamics of the already well-established interaction between the NEPAD Agency, the Commission, Member States and RECs, in particular through the software of the agency that is under development and through regular meetings with the PRC;
- iv) **Underscore** the need for more platforms such as the Dakar Summit on Funding so as to mobilize more resources for NEPAD flagship programs;
- v) **Also underscore** the need to ensure that the contributions of private entities comply with AU interests;
- vi) **Request** the NEPAD Agency to work closely with the Commission within the framework of the 2063 agenda;
- vii) **Call upon** Member States to make voluntary contributions to NEPAD;
- viii) **Urge** Member States to help those affected by Ebola in strengthening public health systems to enable them to respond effectively to the epidemic.



**J. Report of the Sub-Committee on Headquarters and Host Agreements  
– Doc. EX.CL/864(XXVI)x**

**58.** The Report was presented by H.E. Mrs. Catherine Muigai Mwangi, Ambassador of the Republic of Kenya and Vice Chairperson of the Sub-Committee, after which members of the PRC made comments and observations and sought clarification as follows:

- i) The closing section of the report should clarify that the meeting of the Sub-Committee was chaired by the Ambassador of the Islamic Republic of Mauritania while the Working Group was presided over by the Ambassador of the Republic of Kenya;
- ii) Amendments were proposed to two aspects of the report in order to ensure precision:
  - a) Para 7(i) bullet 4 should read “An AUC Protocol Assistant was at the Airport to welcome him...”;
  - b) Under conclusions and recommendations, Para 10(5) should read “Also request the Host Country to look into modalities for addressing issues of concern such as, effecting legal money transfer, foreign exchange and remittances.”

**59.** In conclusion, the PRC recommends to the Executive Council to:

- i) **Take Note** of the report of the PRC Sub-committee on Headquarters and Host Agreements;
- ii) **Express** its appreciation to the Federal Democratic Republic of Ethiopia, for its commitment as the Host Country, for extending the necessary privileges, facilities and immunities to the African Union and its Member States in accordance with the Agreement between the African Union and the Federal Democratic Republic of Ethiopia on the Headquarters of the African Union (Headquarters Agreement);
- iii) **Urge** the Host Country to continue to ensure the effective discharge of its obligations under the Headquarters Agreement;
- iv) **Request** Member States, the Commission and its staff members to respect the laws of the host country in accordance with the Headquarters Agreement;
- v) **Also Request** the Host Country to look into modalities for effecting legal money transfer, foreign exchange and remittances;

- vi) **Further Request** the Host Country to conduct an investigation into the complaint submitted by the State of Eritrea on the alleged violation of the privileges and immunities of its Permanent Representative and his spouse at the Bole International Airport on 14 May 2014 and report back to the Sub-Committee before June 2015 and **Also Request** the Commission to submit its report on the incident to the Sub-Committee before June 2015;
- vii) **Invite** both the Host Country and the Commission to continue to engage to ensure mutual implementation of their respective obligations under the Headquarters Agreement in a predictable manner AND **Stress** the need for the Joint Headquarters Implementation Committee to meet regularly in order to continue to follow-up the effective implementation of the Headquarters Agreement as well as resolve, in a timely manner, all outstanding matters;
- viii) **Request** the Commission to study the Host Agreements with other countries hosting AU Organs, Offices and Institutions and present a comparative analysis of the privileges, facilities and immunities to the Sub-committee in June 2015;
- ix) **Also Request** the Sub-committee to consider the implementation of Host Agreements between the AU and Member States hosting other AU Organs, Offices and institutions.

**K. Report of the Sub-Committee on the Special Emergency Assistance Fund for Drought and Famine in Africa (SEAF) –Doc. EX.CL/864(XXVI)xi**

**60.** The Report was presented by H.E. Mohamed Idriss Farah, Ambassador of the Republic of Djibouti and Chairperson of the Sub-Committee, after which Members of the PRC made the following comments and observations:

- i) Concern was expressed about the declining nature of the fund and the negative impact in the implementation of tasks;
- ii) A call was made for an urgent review of the Terms of Reference to accommodate all unforeseen emergencies;
- iii) A call was made for the merger of the PRC Sub-Committee on Refugees, Returnees, Internally Displaced Persons, and SEAF.

**61.** In conclusion, the PRC recommends to the Executive Council to:

- (i) **Adopt** the Report and the recommendations contained therein;
- (ii) **Welcome** the implementation of the Decision Extra. EX.CL/Dec.1(XVI) of the Sixteenth Extraordinary Session of the Executive Council by the

Commission to expand the mandate of the AU Special Emergency Assistance Fund for Drought and Famine in Africa to include other emergencies and calamities including public health;

- (iii) **Note with concern** the declining level of the Fund and the negative impact on the Sub Committee's ability to execute its mandate;
- (iv) **Call on** Member States to urgently replenish the depleting funds and in addition to provide financial support for sustaining the Fund;
- (v) **Request** the Commission, in collaboration with the PRC and its Sub-Committee on SEAF, to convene a Pledging Conference in favour of the Fund;
- (vi) **Direct** the Commission, to undertake, in cooperation with the PRC and the Sub-Committees on SEAF and on Refugees, the review of the Statutes of the Fund with a view to rationalizing the activities and operations of the Sub-Committee on SEAF with those of the Sub-Committee on Refugees, Returnees, IDPs and in charge of natural disasters.

## OTHER ACTIVITIES OF THE PRC

### 1) Consideration of the Recommendations from Hawassa Retreat - EX.CL/865(XXVI)i

**62.** The Commissioner for Trade and Industry on behalf of the Commission made an oral communication to the PRC to the effect that the Joint AUC/PRC Working Group created, following the Hawassa Retreat could not meet to determine the modalities for implementation of the recommendations of the Retreat.

**63.** Following the communication by the Commissioner for Trade and Industry, the PRC decided to withdraw the item from the agenda

### 2) Briefing on G20 - EX.CL/865(XXVI)iii

**64.** On behalf of H.E. Mohamed Ould Abdelaziz, President of the Islamic Republic of Mauritania and Chairperson of the African Union Commission, the Chairperson of the PRC briefed the Committee on the outcome of the G20 meeting held in Brisbane, Australia, on 15 November 2014, highlighting the following:

- i) The objective of the meeting was two-fold: stimulate the world economy and prepare the Climate Change Conference to take place in Paris in 2015;
- ii) G20 foresees an economic growth of 2.8% between 2015-2018;

- iii) Emphasis was placed on infrastructure development particularly energy;
- iv) The Chair of the Union intervened on two items, namely; energy as a driver of growth and the world economy. He called on G20 to work closely in partnership with Africa for the benefit of both sides. He lauded the efforts by African countries in achieving economic growth and fighting corruption. He recalled the importance of Agenda 2063 in which G20 is expected to play an important role. He called for a complete overhaul of the African Educational System to render it more competitive. Finally, he underscored the effects of the drastic drop in oil prices on the economies of some countries.

65. The meeting was a success.

66. Subsequent to the briefing, delegations that took the floor, made comments and observations and sought clarification as follows:

- i) Copies of the briefing should be circulated to Member States;
- ii) Would the briefing be aligned with the report on NEPAD to be presented to the Assembly by the President of the Republic of Senegal?

67. In conclusion, the PRC recommended to the Executive Council to:

- i) **Take Note** with appreciation of the communication made by its Chair on behalf of the Chairperson of the African Union, who represented the AU at the G20 meeting held in Brisbane, Australia, on 15 November 2014;
- ii) **Emphasize** the need for the African Union to monitor the activities of the G20 very closely, with respect to the promotion of issues of common interest to Africa, particularly in the areas of infrastructure and energy, as well as continental integration and socio-economic development projects in general, bearing in mind the goals of Agenda 2063.

## SECTION VII: OTHER REPORTS

### 1) **Consideration of the Recommendations of the PRC on the Report of the Commission on the Implementation of Previous Decisions of the Executive Council and the Assembly–Doc.EX.CL/870(XXVI)**

68. The Report was presented by the Secretary General of the Commission, after which Members of the PRC made comments and observations and sought clarification as follows:

- i) Delegations welcomed the alignment of the report and matrix on the Implementation of Previous Decisions;

- ii) Concern was raised over the existence of many blank spaces in the matrix that needed to be filled;
- iii) Concern was further raised over the proliferation of Decisions and called for integration and coordination on the implementation of Decisions;
- iv) Member States were urged to release funds early to facilitate the implementation of Decisions; and
- v) Member States were encouraged to step up the implementation of Decisions.

69. In conclusion, the PRC recommends to the Executive Council to:

- i) **Take note** of the Report and Member States' observations on the subject;
  - ii) **Adopt** the recommendations contained in the Report;
  - iii) **Recall** all the decisions taken in the past as well as the recommendations of the two Retreats between the PRC and the Commission on the guidelines and mechanisms for preparation, reduction and implementation of the decisions with focus on rationalization of the draft agenda of the two annual sessions of the Assembly; reduction in the number of decisions, prior determination of the legal, financial and structural implications of these decisions as well as the sources of financing, follow up on and evaluation thereof, and the timeframe established for reporting to the organs of the Union on the status of implementation. In this regard, **Request** the PRC and the Commission to carry out consultations as appropriate, and make relevant proposals on the various aspects of this issue;
  - iv) **Congratulate** the six Member States that submitted their reports during the past six months (Togo, Uganda, Senegal, Sierra Leone, Mauritius and Guinea) and **Urge** all the other Member States to do the same to enable the Commission to submit a consolidated Report to the January 2016 session of the Assembly of the Union;
  - v) **Request** the Commission to submit the financial implications of the recruitment of a consultant to undertake a study on the status of implementation of all the decisions taken during the past ten years for appropriate recommendations on this subject.
- 2) **Consideration of the Report of the Conference of African Ministers of Transport (CAMT) on the Regulatory Texts of the 1999 Yamoussoukro Decision on the Liberalisation of Air Transport Markets in Africa –Doc. EX.CL/871(XXVI)**

**70.** The report was presented by the Commissioner for Infrastructure and Energy, after which comments and observations were made and clarification sought as follows:

- i) The title of the report should be changed to read Conference of African Ministers of Transport (CAMT);
- ii) Egypt expressed reservation that it had not received an invitation to the Conference and had not received the regulatory and institutional documents referred to in the report and, so, could not commit itself on the same;
- iii) The Commission was commended for its efforts and recommended adoption of the report.

**71.** The Commission clarified as follows:

- i) The Bureau of CAMT had been delegated by the 3rd Conference of Ministers of Transport to review and adopt the said documents and submit them to the Executive Council;
- ii) All AU Member States' Governments, including Egypt, were invited the Meeting in Nairobi on 9-31 October 2014 that discussed, validated and adopted these documents; Egypt was represented by an organisation;
- iii) All documents are available but in English and are still being translated given that they are voluminous and the Meeting that produced them just ended not so long ago;
- iv) A Ministerial Working Group met on 21 January 2015 in Johannesburg, South Africa and considered the report of the Bureau on how to achieve a single market for air transport in Africa;
- v) The Chairperson of the Commission will be making a detailed presentation at the AU Assembly.

**72.** In conclusion, the PRC expressed the view that since the Report was submitted by the Bureau of the Conference of Ministers of Transport mandated by the latter to consider the documents in question, it had no mandate to discuss it. Consequently, the PRC decided to transmit this Report to the Executive Council for appropriate action. It also requested the Commission to attach to the Report all the related documents.

**3) Consideration of the Report of the 1st Meeting of African Ministers of Health Jointly convened by the AUC and WHO, Luanda, Angola, 14-17 April 2014–Doc. EX.CL/872(XXVI)**

**73.** The Report was presented by the Commissioner for Social Affairs, after which members of the PRC made comments and observations and sought clarification as follows:

- i) The proposal to hold one joint annual meeting of the AUC and WHO is commendable but it is necessary to align it with the decision on Specialised Technical Committees;
- ii) Since there are a number of reports on health issues, it is advisable, when drafting the decision, to bring together similar issues in one decision.

**74.** In conclusion, the PRC recommends to the Executive Council to:

- i) **Take note** of the Report;
- ii) **Endorse** the outcome of the 1st Meeting of African Ministers of Health jointly convened by the AUC and WHO in Luanda, Angola from 14 to 17 April 2014; and
- iii) **Place** the item under **Part A** of the agenda of the Executive Council.

**4) Consideration of the Report of the High Level Meeting on Disaster Risk Reduction on Africa's Contribution to the Post-2015 Framework for Disaster Risk Reduction, Abuja, Nigeria, 13-16 May 2014 - Doc. EX.CL/873(XXVI)**

**75.** The report was presented by the Director of Rural Economy and Agriculture, after which Members of the PRC made comments and observations and sought clarification as follows:

- i) Whether the summary statement and the declaration mentioned in the Report are the same or two different documents because only the summary statement has been made available to the PRC;
- ii) The African Risk Capacity should make itself known to the PRC as well as the positions it is assisting Member States to formulate on Risk Reduction within the framework of Post-2015 Agenda;
- iii) The related Declaration should have been made available to enable Member States to discuss its contents;

- iv) What is the fate of the agreement on risk reduction signed in South Africa in December 2013?
- v) The source of financing of risk reduction initiatives is not quite clear.

**76.** In response to the concerns raised by Members of the PRC, the Commission provided explanation as follows:

- i) There are two documents, the summary statement and the Declaration;
- ii) The Declaration mainly requests for the summary statement to be submitted for endorsement by Executive Council;
- iii) The Africa Risk Capacity was established as a specialized agency of the AU; it is an insurance mechanism with a specific mandate which is to respond to the likelihood of drought. Currently 25 countries are members of the Conference of Parties. Member States are the ones to formulate the African common position and both the AU Commission and the African Risk Capacity act as facilitators.

**77.** In conclusion, the PRC adopted the report in principle pending discussion on the Declaration.

**5) Consideration of the Report of the 4th Ordinary Session of the AU Conference of Ministers Responsible for Social Development, Addis Ababa, Ethiopia, 26-30 May 2014 – Doc. EX.CL/874(XXVI)**

**78.** The report was presented by the Commissioner for Social Affairs, after which Members of the PRC made comments and observations and sought clarification as follows:

- i) The misspelling of the name of the Chairperson of the CAMSD4;
- ii) The absence of a follow-up and implementation mechanism for the outcome of the meeting was highlighted;
- iii) The status of the African disability architecture;
- iv) The liquidation of the assets of/and the replacement structure for the African Rehabilitation Institute (ARI);
- v) Payment of benefits to former staff of the liquidated African Rehabilitation Institute.

**79.** In response to the concerns raised by members of the PRC, the Commissioner provided explanation as follows:



- i) Appropriate correction will be made to the name of the Chairperson of CAMSD4;
- ii) The AU should draw lessons from the dissolution of the ARI;
- iii) The dissolution of the ARI did not arise from any problem with the Institute *per se* but owing to its poor and ineffective management. Nonetheless, its final liquidation in terms of payment of benefits to former staff, audit issues, disposal of assets etc., is being constrained by paucity of funds.

**80.** In conclusion, the PRC recommends to the Executive Council to:

- i) **Take Note** of the Report as well as the observations made by PRC members on this subject;
- ii) **Endorse** the recommendations contained in the Report and the Addis Ababa Declaration of the Ministers;
- iii) **Request** the Commission to implement the recommendations upon their adoption by Council;
- iv) **Underscore** the need for proper management of all AU institutions and **Request** the Commission to take appropriate steps to avoid situations similar to those that occurred in ARI;
- v) **Ensure** that all the entitlements due to the former ARI staff are paid in accordance with the established rules and regulations;
- vi) **Place** the item under **Part A** of the agenda.

**6) Consideration of the Report of the 7th Conference of African Ministers in Charge of Integration (COMAI VII), Ezulwini, Swaziland, 17-18 July 2014 –Doc.EX.CL/893(XXVI)**

**81.** The Report was presented by the Commissioner for Economic Affairs, after which Members of the PRC made comments and observations and sought clarification as follows:

- i) The Report should reflect the briefing of the Chairperson on the high speed train which is a crucial element for socio-economic integration; in this regard, the Commission is invited to provide information on progress made following an agreement signed with the People's Republic of China;
- ii) The Report should show progress on follow-up action and evaluation of achievements;

- iii) The Report does not contain information on recent developments on the Continental Free Trade Area and intra-African trade although the meeting discussed the issues;
- iv) What measures have been taken on the issue of the African Fund for Integration?
- v) How is the Commission ensuring AU's participation in the International Conference on Financing for Development that will take place in Addis Ababa in July 2015?
- vi) Infrastructure being a priority for African integration, beyond roads and railways, there is also a need to give due attention to integrating the six African Island States to the continent through shipping lines in order to facilitate trade;
- vii) There is a need in the July International Conference on Financing for Development to harmonise all projects on infrastructure with various partners under the leadership of the AU in collaboration with UNECA in order to have a harmonized plan for progress.

**82.** In responding to the concerns raised, the Commission stated as follows:

- i) The high speed train is one of the quick wins of Agenda 2063 like the African passport and others, and the PRC will get detailed briefing on those issues during the presentation of Agenda 2063;
- ii) As follow-up action on integration, an integration index is being developed with UNECA that will include gender parity among others;
- iii) With regard to the African Fund, a feasibility study has been done and a progress report to that effect was presented in Ezulwini; the report is yet to be finalized;
- iv) The 3rd International Conference on Financing for Development to be held in Addis Ababa from 13-16 July 2015 is a successor to the Doha Conference and preparations from the AU side are on-going, including a meeting of Central Banks Governors so as to ensure that the African voice is heard on financial issues to be discussed and on the priorities of Agenda 2063; in addition, formal intergovernmental discussions are starting in January to be concluded by June in order to have a formal position on post- 2015 agenda and sustainable development goals; in this regard, Africa being the only region that came out with a well-defined position in its CAP, the UN has captured a lot from CAP; the issue is how to finance the SDGs;

- v) Island countries have been given the opportunity to reflect their priorities in Agenda 2063 through a meeting held in Seychelles.

**83.** In conclusion, the PRC recommends to the Executive Council to :

- i) **Take Note** of the Report as well as the appended Declaration;
- ii) **Adopt** the recommendations contained in the report;
- iii) **Further Take Note** of the progress being made on the process of integration on the Continent;
- iv) **Call** for the urgent implementation of quick-wins such as the High Speed Train and the African Passport to serve as catalysts of integration;
- v) **Request** the Commission working closely with relevant stakeholders to develop infrastructure projects specific to landlocked as well as Island countries;
- vi) **Further Request** the Commission in consultation with all relevant stakeholders to take necessary steps to prepare the upcoming Conference on Financing the African Integration Projects.

**7) Consideration of the Report of the 6th Ordinary Session of the AU Conference of Ministers of Drug Control (CAMDC-6) Addis Ababa, Ethiopia, 6-10 October 2014 – Doc. EX.CL/875(XXVI)**

**84.** The Report was presented by the Commissioner for Social Affairs, after which members of the PRC made comments and observations and sought clarification as follows:

**85.** At the end of the presentation, the following observations and issues were raised:

- i) The root causes of drug use in the continent;
- ii) Whether there is a coordinated, holistic and multi-sectorial approach to drug control and what the Commission is doing in this respect;
- iii) The general trend regarding drug use in Africa;
- iv) Besides addressing the demand side, what is the Commission doing to address the supply side of the chain?
- v) What is being done to address drug control at national and regional levels?

- vi) Given the prevalence of counterfeit pharmaceutical drugs, is there any strategy aimed at combating this rising trend?
- vii) Need for the Commission to facilitate consultations and engagements towards a Common Position for the 2016 United Nations General Assembly Special Session (UNGASS) on Drug Control.

**86.** The Commission provided the following clarification:

- i) An update on the growing trend of drug abuse in the continent and action being taken by the Commission to combat the scourge;
- ii) Collaboration within the international framework to combat drug use;
- iii) There is advocacy and awareness campaign against drug use, as well as the development of a systematic approach to drug control;
- iv) Ongoing consultations are ongoing between the AU and Group 77 towards developing a Common Position for the 2016 United Nations General Assembly Special Session (UNGASS) on Drug Control.

**87.** In conclusion, the PRC recommends to the Executive Council to:

- i) **Take Note** of the Report as well as the PRC observations on the subject;
- ii) **Endorse** the recommendations contained in the Report as well as the Addis Ababa Declaration adopted by the Ministers on the subject;
- iii) **Underscore** the need for greater awareness-building in Member States for effective control of the scourge of drugs in the continent on the basis of AU Plan of Action 2013-2017, with focus on preventive measures and the ways and means to address the root causes of the scourge;
- iv) **Call Upon** Member States to take appropriate measures to combat counterfeiting of medicines in Africa;
- v) **Also Call Upon** Member States to pursue their consultations to achieve a common position;
- vi) **Place** the Report under **Part A** of the draft agenda of the Executive Council.

**8) Consideration of the Report of the 1st Meeting of the Specialized Technical Committee on Youth, Culture and Sports, Addis Ababa, Ethiopia, 27 October – 1 November 2014–Doc.EX.CL/876(XXVI)**

**88.** The Report was presented by the Commissioner for Social Affairs, after which members of the PRC made comments and observations and sought clarification as follows:

- i) The reasons why ANOCA refused to sign the MOU with the AU and whether this refusal will affect the holding of the 11th African Games in Brazzaville;
- ii) With regard to paragraph 18 on strengthening financial commitments to enhance African sport, to clarify the legal basis and nature of the requested financing;
- iii) The Report does not mention the liquidation of the Supreme Council for Sports in Africa;
- iv) Paragraphs 32 and 33 on the issue of the hosting country should be synchronized;
- v) The idea of mainstreaming sport in formal higher education is very important for the overall development of African citizens; this proposal should be included in Agenda 2063 and specific programmes developed;
- vi) The revised Rules of procedure of the STC-YCS1 mentioned in paragraph 14 are not appended to the Report;
- vii) To provide clarification on the meeting of members of the STC-YCST Bureau scheduled for January 2015 to agree on working modalities and an implementation plan for their two year mandate.

**89.** In response to the issues raised, the Commission clarified as follows:

- i) There is no controversy on the issue of ownership of the games which has been vested in the AU by Ministers as clearly stipulated in the decision;
- ii) The only outstanding issue relates to modalities of management and organization which have been entrusted to ANOCA and which are still under negotiations to enable the MOU to be signed; following discussions between the two parties In Brazzaville, a revised MOU has been sent to ANOCA and its signature is expected to be realized in a very near future; this situation does not affect the organization of the African games;
- iii) The SCSA has been dissolved and complete liquidation will be achieved after payment of arrears owed by Member States to the Supreme Council for Sports in Africa to enable payment of entitlements to staff;

- iv) A transition mechanism is on-going for the operationalisation of the new AU Sports Council and re-organisation of the Sports Development Regions;
- v) With regard to the hosting of the 2nd STC, the understanding is that if no country offers to host, then the meeting holds in Addis Ababa;
- vi) Indeed the inclusion of sports in higher education is very important as emphasised under the six pillars of the Common African Position;
- vii) The Rules of Procedure and Plan of Action need indeed to be attached.

90. In conclusion, the PRC recommends to the Executive Council to:

- i) **Take Note** of the Report as well as Member States' observations on the subject;
- ii) **Express satisfaction** with the first meeting of the STC on Youth, Culture and Sports, and **Encourage** all the other STCs, in coordination with the Commission, to take appropriate steps to commence their activities in their various areas of competence;
- iii) **Endorse** the recommendations contained in the Report and **Request** the Commission to ensure that the said recommendations are implemented;
- iv) **Request** the Commission to transmit to Member States the Rules of Procedure of the STC as revised;
- v) **Underscore** the need for the Commission to operationalize all the mechanisms and arrangements for replacement of the SCSA, particularly with the approach of the African Games due to take place in Brazzaville in September 2015;
- vi) **Place** the Report under **Part A** of the draft agenda of the Executive Council.

9) **Consideration of the Report of the 1st Extraordinary Session of the AU Conference of Ministers Responsible for Mineral Resources Development, Zambia/Zimbabwe, 22-26 November 2014—Doc.EX.CL/877(XXVI)**

91. The Report on the first extraordinary session of the AU Conference of Ministers responsible for Mineral Resources Development that took place in Zambia/Zimbabwe from 22 to 26 November 2014 was presented by the Commissioner for Trade and Industry, following which Members of the PRC made the following observations and comments:

- Africa is endowed with rich mineral resources and it is high time for the continent to have its own African Minerals Development Centre (AMDC) in order to be able to add value to its mineral resources and enable Member States and the African population to derive the maximum benefits from its resources and determine its own prices on the global market;
- Some Member States endorsed the recommendations contained in the Report, particularly those pertaining to the establishment of the AMDC as a specialized agency of the AU and the creation of a Mineral Resources division within the AU Commission;
- Other Member States queried the lack of quorum at the Conference and the fact that a study on the financial implications of establishing the Centre was not attached to the Report;
- A call was made to the Legal Counsel to give his opinion on the quorum issue as well as on the financial implications of establishing the Centre.

**92.** The Legal Counsel responded as follows:

- There is a need to make a distinction between a specialized agency and an organ of the AU. The AMDC is being established as a specialized agency of the AU and therefore has no financial implications on the AU but only on States parties/Member States that choose to join the agency; in this regard therefore, the study on the financial implications is not required for the consideration of the Report;
- On the quorum issues, the Legal Counsel explained that:
  - (i) The Ministerial Conference met in an extraordinary session to consider an urgent issue which is the institutionalization of the AMDC as a specialized agency of the AU;
  - (ii) It often happens that some Member States finally attend meetings without confirming attendance beforehand;
  - (iii) Given the urgency of discussing the issue that called for an extraordinary session, the Conference took place and its recommendations can still be validated after consideration by a higher policy organ of the AU such as the Executive Council which all Member States attend.

**93.** In conclusion, the PRC recommends to the Executive Council to:

- i) **Take note** that the meeting was held without the requisite quorum;
- ii) In view of the importance of the issue under consideration, to consider this matter as appropriate;

- iii) **Place** item under **Part B** of the Draft Agenda of the Executive Council.

**10) Consideration of the Report of the 9th AU Conference of Ministers of Trade, Addis Ababa, Ethiopia, 1-5 December 2014– Doc.EX.CL/878(XXVI)**

**94.** The Report was presented by the Commissioner for Trade and Industry, after which members of the PRC made observations and comments as follows:

- i) The Commission was commended for progress made in preparations for the launch of the CFTA and pointed out that a lot still remained to be done;
- ii) Delegations supported the recommendation for policy coherence and alignment of positions at the WTO with Africa's relevant programmes;
- iii) Appreciation was extended to Ministers of Trade for endorsing Kenya's offer to host the 10th WTO Ministerial Conference in December 2015, the first ever to be held in Africa.

**95.** Subsequent to the presentation, members of the PRC made comments and observations and sought clarification as follows:

- i) It is true that much remains to be done towards establishment of the CFTA;
- ii) The Department of Trade and Industry will implement the road map leading to the launch of the CFTA negotiations in order to ensure success;
- iii) Kenya and Africa should be congratulated for hosting the 10th WTO Ministerial Conference and this should be reflected in a draft decision to be submitted to the Executive Council.

**96.** The PRC recommends to the Executive Council to:

- i) **Take note** of the Report, the recommendations contained therein, the Declarations on WTO and AGOA as well as the institutional arrangements for negotiation of the Continental Free Trade Area (CFTA); **Also take note** of the comments and observations of Member States in this regard;
- ii) **Urge** Member States to participate massively and actively in the WTO negotiations during its meeting in Nairobi, Kenya to enhance AU position in accordance with the Declaration of the Conference of AU Ministers of Trade;
- iii) **Intensify** consultations with the American authorities to encourage them to relax restrictions on accession to AGOA and fast-track the review of the law governing this issue;



- iv) **Place** the Report under **Part A** of the Draft Agenda of the Executive Council.

**11) Consideration of the Reports of the Audit of the Commission and the African Union Advisory Board on Corruption on the implementation of Decision EX.CL/Dec.847(XXV) adopted by the Executive Council in Malabo in June 2014 – Doc. EX.CL/879(XXVI) and Doc. EX.CL/879(XXVI)B**

**97.** The two reports were presented respectively by the Commissioner for Political Affairs and the Chairperson of the Advisory Board on Corruption.

**98.** Following the presentations, members of the PRC made the following comments and observations:

- i) What concrete measures have been taken against the persons presumed to be responsible for the alleged embezzlement at the Executive Secretariat of the Advisory Board on Corruption within the framework of the funds allocated to the said Board?
- ii) It is sad that the AU body in charge of the fight against corruption on the continent should harbour within its Secretariat suspects of alleged embezzlement, fraud and violations of procurement procedures;
- iii) The recruitment system at the AU should be improved to carry out a systematic and thorough investigation on people being recruited;
- iv) Qualified personnel should be assigned to the Secretariat of the Advisory Board on Corruption to avoid similar situations in the future;
- v) It is necessary and urgent to establish a code of conduct for the entire AU staff;
- vi) Why was it deemed necessary to transfer the seat of the Advisory Board on Corruption from Addis Ababa to Arusha?
- vii) The two reports are contradictory in many respects. As a result, the PRC should recommend to the Executive Council to refer the two reports back to the Commission and the Advisory Board while asking the two bodies to work together to present a harmonized report at the next summit in June/July 2015;
- viii) The reports are very alarming and likely to tarnish the image of the African Union as the funds intended for the organ supposed to fight corruption have not been regularly used in accordance with the procedures in force as shown in the audit report of the Commission;

- ix) Legal proceedings should be initiated to recover the amounts misappropriated. It is also urgent to initiate criminal proceedings against the former Acting Executive Secretary of the Advisory Board, the alleged person behind the embezzlement;
- x) The election of new members of the Advisory Board should be suspended in view of the prevailing situation.

**99.** Following these interventions, the Chairperson of the Commission indicated that she shares the serious concerns expressed by Member States about the plight of the Advisory Board with regard to allegations of embezzlement against the former Acting Executive Secretary of the Board. She also said that the alleged embezzlement was discovered by the Audit department of the Commission and not by partners. Regarding the transfer of the seat of the Advisory Board to Arusha, the Chairperson of the Commission noted that this was done following a decision of the governing bodies on the matter as was the case for seats of other organs located in other countries of the Union.

**100.** With respect to measures taken after the audit, the Chairperson of the Commission clarified as follows:

- i) The immediate suspension of the former Acting Executive Secretary of the Advisory Board on Corruption in accordance with the relevant provisions of the AU Staff Regulations and Rules;
- ii) The appointment and assignment of a new interim Executive Secretary to manage the affairs of the Advisory Board pending the appointment of a new Executive Secretary;
- iii) The setting up and sending an internal investigation team of the Commission to the headquarters of the Advisory Board in Arusha;
- iv) The process of recruiting a new Executive Secretary is almost complete.

**101.** In the same vein, other Commission representatives provided the following information:

- i) the funds allocated to the Advisory Board transited through the United Nations Economic Commission for Africa (ECA) before being paid directly into the account of the Advisory Board. This has not always allowed the competent services of the Commission to perform real-time control required, although this is not an excuse to justify the malpractice identified in the audit report;

- ii) The external audit report commissioned by the Swedish partner is under consideration by the ECA and Swedish authorities for the validation of the findings of the report which elicits divergent views on both sides;
- iii) It is important to gather irrefutable evidence of the alleged wrongdoing before initiating criminal proceedings in Tanzania. The audit reports of the Commission and the one sponsored by Sweden should help to clearly determine responsibility and identify the alleged embezzlement.

**102.** On his part, the Chairperson of the Advisory Board drew the attention of the PRC to the fact that:

- i) Members of the Advisory Board upon assuming service instructed the former Acting Executive Secretary to abide strictly by the Rules of Procedure of the Board, the Financial Rules and all other regulations of the AU;
- ii) The Committee did not conduct any activity during the past year due to the suspension of disbursement of funds from the Swedish partner;
- iii) It is important to give the possibility to the Chairperson and financial vote holder of the Advisory Board to perform these functions permanently at the headquarters of the Board in order to prevent future embezzlement.

**103.** In conclusion, the PRC recommended to the Executive Council to:

- i) **take note** of the Audit report of the Commission and the report of the AU Advisory Board on Corruption as well as comments of Member States in this regard;
- ii) **Express** its grave concern at the alleged misappropriations by the former Executive Secretary of the funds allocated to the AU Advisory Board on Corruption since its installation in Arusha, Tanzania in 2012 with their disastrous consequences likely to seriously tarnish the image of the African Union, as a body established to fight against the scourge of corruption on the continent;
- iii) **Request** the Commission and the AU Advisory Board on Corruption to urgently put in place an appropriate mechanism for effective collaboration between the two bodies to resolve all outstanding issues relating to the management of the AU Advisory Board on Corruption;
- iv) **Request** the Commission:
  - i) To accelerate the recruitment of an Executive Secretary for the AU Advisory Board on Corruption and ensure that appointments made under the supervision of the former Acting Executive Secretary are

anceled and the related posts are republished to attract candidates with the necessary skills and integrity;

- ii) Take the necessary steps to improve the image of the AU Advisory Board on Corruption by effectively implementing all the recommendations of the audit reports and the final forensic report of experts as initiated by donors on SIDA and the ECA;
- iii) Initiate appropriate legal action at the Headquarters of the AU Advisory Board on Corruption in Arusha (Tanzania) against individuals identified on the basis of evidence obtained through the on-going investigations in this regard;
- iv) Ensure that individuals found guilty by a competent court bear the legal consequences of their actions and repay the misappropriated funds; this will have a deterrent effect on other AU officials and reaffirm the commitment of the African Union to resolutely fight corruption in Africa;
- v) Take disciplinary sanctions against the officials responsible for embezzlement and misappropriation, in accordance with the AU Staff Regulations and Rules.

## **12) Consideration of the Report of the Commission on the Situation in the Middle East and Palestine – Doc. EX.CL/880(XXVI)**

**104.** The report was presented by the Director of Political Affairs, after which members of the PRC made comments and observations and sought clarification as follows:

- i) The Report should also reflect other related issues such as:
  - a) The boycott on products as adopted in Malabo;
  - b) The decisions made by the European Parliament and especially the Government of Sweden to recognize the State of Palestine;
  - c) Acceptance by the UN Secretary General of the request made by Palestine to accede to ICC;
  - d) Support to the efforts of Palestine to obtain access to the UN as a full member;
  - e) In paragraph 27 on the cease fire and the Cairo Agreement, the Arab Republic of Egypt should be commended for the important role it played in the process;

- f) Paragraph 49 should specify that the border crossings referred to are border crossings with Israel in order to harmonise with paragraph 30 which refers to Rafah crossing.
  - ii) The language in the Report could be improved to avoid misinterpretation;
  - iii) Given the linkages with the rise of terrorism and the recognition of the rights of the Palestinian people by the international community, the time is ripe for the Assembly to adopt a very strong declaration on the Middle East and Palestine which will reflect the issues mentioned above.
- 105.** In conclusion, the PRC recommends to the Executive Council to:
- i) **Take note** of the Report and Member States' observations on the subject;
  - ii) **Recall** all African Union Decisions and Declarations as well as United Nations Resolutions on the Situation in the Middle East and Palestine and **call for** their effective implementation with a view to achieving lasting peace in that region;
  - iii) **Express satisfaction** with the increasing number of international recognition of the State of Palestine by both Governments and Parliaments of countries across the world, and **encourage** all other States to recognize the State of Palestine and provide it with their full support to achieve its inalienable right to international sovereignty in its internationally recognized territories, including East Jerusalem;
  - iv) **Condemn** Israel's settlement building activities and the boycott of Palestinian territories and **Call upon** the State of Israel to withdraw from all Palestinian and Arab territories occupied since 1967;
  - v) **Commend** the Arab Republic of Egypt for its efforts at mediation between the State of Palestine and Israel and **Encourage** it to persevere in that direction;
  - vi) **Recommend** to the Assembly to adopt a Declaration of support to the people of Palestine to achieve their inalienable right to a sovereign and independent State within their internationally recognized territories;
  - vii) **Place** the Report under **Part B** of the draft agenda of the Executive Council.

**13) Consideration of the Report of the Commission on the Establishment of the African Centre for Disease Control and Prevention – Doc.EX.CL/881(XXVI)**

**106.** The report was presented by Commissioner for Social Affairs, after which members of the PRC made comments and observations and sought clarification as follows:

- i) The Commission should be commended for the rapid steps being taken on the Establishment of the African Centre for Disease Control and Prevention;
- ii) A thorough assessment of existing facilities of Regional Disease Control and Prevention Centres should be undertaken with the aim of bringing them under the umbrella of African Centre for Disease Control and Prevention; and
- iii) A proper funding mechanism to be put in place so as to sustainably support the Centre.

**107.** In conclusion, the PRC recommends to the Executive Council to:

- i) **Take Note** of the Report and the recommendations thereon as well as Member States' observations on the subject;
- ii) **Express immense satisfaction** for efforts made by the Commission to speed up the process for the establishment of the Centre, pursuant to the relevant Executive Council and Assembly decisions;
- iii) **Welcome** the fruitful cooperation between the Commission and Ethiopia towards the rapid establishment of the Centre, through their active participation in the work of the Multinational Steering Group in charge of the project;
- iv) **Recommend** to the Assembly to decide on the establishment and operationalization of the Centre in 2015;
- v) **Approve** that the Coordination Office should initially be at the Headquarters of the African Union in Addis Ababa, and should work closely with already existing Centres in the different regions of the Continent;
- vi) **Take Note** of the proposed structures and the financial implications which amount to approximately 5 million US dollars to cover the expenses for the establishment and operation of the Centre for the initial 18-month period;
- vii) **Authorize** the Commission to undertake a campaign for the mobilization of funds from Member States and development partners who have already indicated an interest and with experience in the domain;

- viii) **Request** the Commission, in close collaboration with the Multinational Steering Group, to consider the practical modalities for the operationalization of the Centre and report thereon to the Assembly in June 2015;
- ix) **Place** the item under **Part B** of the agenda of the Executive Council.

**14) Consideration of the Report of the Chairperson of the African Risk Capacity (ARC) Governing Board on the 3rd ARC Conference of the Parties –Doc.EX.CL/890(XXVI)**

**108.** The Report was presented by Ms. Fatima Kassam, Chief of Staff of the AU Specialised Agency African Risk Capacity, on behalf of the Chairperson of the ARC Governing Board, after which comments and observations were made and clarification sought as follows:

- i) The presenter commended the quality of the Report and the activities undertaken by the ARC Agency in countries faced with disasters;
- ii) An appeal was made for more AU Member States to join the ARC given its importance;
- iii) Delegations wanted to know whether ARC was merely a private sector business, taking financial contributions from members;
- iv) Whether ARC has financial implications for AU Member States;
- v) The mechanism by which the needs assessment is done to determine the magnitude of support to provide to a country;
- vi) The criteria upon which countries are eligible for ARC's support;
- vii) Whether ARC has provided any assistance to the countries affected by Ebola;
- viii) Libya asked why the other founding signatories of ARC Establishment Agreement had not benefited from ARC.

**109.** In response, Ms. Fatima Kassam clarified as follows:

- i) Libya had signed the ARC Establishment Treaty with a reservation based on uncertainty around Member States' Scale of Assessment;
- ii) Countries would not be assessed until at least 10 members have ratified the treaty which is not yet the case;

- iii) ARC has hitherto concentrated on drought-related insurance but plans are underway to extend to viral insurance, a process that is already in the pipeline together with that related to floods and cyclones.

**110.** The Legal Counsel complemented the above responses as follows:

- i) ARC is not a business entity and does not impose financial obligations for a country to sign the treaty. If a country has an MoU with ARC, it enjoys free services including capacity building of personnel in software, contingency planning and so on;
- ii) As ARC is a Specialised Agency of the AU, it is independently funded and there are no financial implications for AU Member States unless they become State parties to ARC; currently 25 AU Member States are parties to the ARC Conference of Parties;
- iii) Countries that take up ARC insurance policies benefit from drought insurance.

**111.** In conclusion, the PRC, recommends to the Executive Council as follows:

- i) **Take note** on the report and the recommendations therein as well as Member States' observations on the subject;
- ii) **Commend** the ARC for the activities already undertaken in favour of African States since its recognition as a Specialised Agency by the AU, and **encourage** it to intensify its activities in favour of the States Parties that have signed the ARC Treaty;
- iii) **Also encourage** Member States to sign and ratify this Treaty thereby facilitating its operationalisation and to benefit from its activities in the domain of risk management capacity building and insurance against such risks;
- iv) **Place** this item under **Part A** of the Draft Agenda of the Executive Council.

**15) Consideration of the Report of the High Level Panel on Illicit Financial Flows (IFF) – Doc. EX.CL/891(XXVI)**

**112.** The Final Report of the High Level Panel on Illicit Financial Flows (IFF) was presented by the Commissioner for Economic Affairs after which members of the PRC made comments and observations and sought clarification as follows:

- i) Africa is “bleeding and is becoming anemic” due to prevalent Illicit Financial Flows;



- ii) Delegations commended the excellent work of the High Level Panel undertaken under the leadership of the H.E. former President Thabo Mbeki in producing an instructive report on IFF;
- iii) Outflows of Illicit finance have reached unprecedented levels estimated to be over 50 billion and is a serious cause for concern in Africa;
- iv) Inherently, IFF constitute complex and political scenarios with a propensity to undermine the state structures on revenue and tax collection;
- v) Information sharing at International, Regional and National levels can help in curtailing IFF and can expose beneficiaries;
- vi) The efforts aimed at curtailing the IFF should focus on attitudinal change among the players by highlighting the subsequent national benefits if IFF was to stop;
- vii) The report on IFF presents an opportunity for the African Leadership to express themselves on efforts to curtail this practice;
- viii) Senegal has established an institute on IFF and to build competence, Member States can borrow approaches and learn lessons from such an institute;
- ix) Building strong institutions in Africa together with strong political will can assist curtail IFF;
- x) African Leaders should consider pronouncing a Declaration on IFF and an Africa-wide campaign to popularize the Declaration should be initiated. The campaign can be framed as “Bring Back our Billions” and CSOs can be instrumental to lead the campaign;
- xi) Of paramount importance in curtailing the IFF is to build the capacity of the African governments to meticulously and proficiently deal with the complexities inherently embedded in IFF. Member States with extractive industries often lack capacity to appropriately quantify amounts of extracted items, in turn this grossly distorts revenues.

**113.** In conclusion, the PRC recommends to the Executive Council to:

- (i) **Take note** of the report and thank the High Level Panel headed by President Thabo Mbeki for the excellent work done;
- (ii) **Stress** the need to effectively and efficiently deal with the grave phenomenon of illicit financial flows which deprives the continent of between USD 50 billion and USD 148 billion which could be used to finance its development;

- (iii) **Stress** the need to reinforce, particularly international cooperation in order to actively combat illicit financial flows in all its forms, such as the illegal exploitation of natural resources, tax evasion, bad governance practices, corruption, bank and tax havens, financing of conflicts on the continent;
- (iv) **Stress** the need to build the internal capacities of Member States, and also build capacity at the national, regional and continental levels in order to deal with IFF;
- (v) **Put in place** appropriate mechanisms to coordinate activities aimed at curtailing IFF and also wage a campaign to recover resources diverted through IFF;
- (vi) **Recommend** to the Assembly to discuss the report so as to make the fight against illicit financial flows a key instrument in the implementation of sustainable development for the continent. To this end, **recommend** that the Assembly should adopt a special Declaration on the issue;
- (vii) **Request** the Commission to work closely with the ECA, the AfDB and all Member States in order to actively monitor this issue, which is of critical importance to the sustainable development of Africa and make appropriate recommendations to CAMEF.

**16) Consideration of the Report on the Follow up on the Ouagadougou 2004 Summit: Employment, Poverty Eradication and Inclusive Development in Africa –Doc. EX.CL/892(XXVI)**

**114.** The item was introduced by the Commissioner for Social Affairs. An objection was raised by the representative of Burkina Faso, on the grounds that Burkina Faso would in future hold the Summit on the subject, which was put off due to the outbreak of Ebola disease in West Africa. He requested that the item be consequently withdrawn from the Agenda of the Summit.

**115.** Following the above request by Burkina Faso, the PRC made comments, observations and sought clarification as follows:

- i) The item may be withdrawn from the Summit Agenda if Burkina Faso would provide a date for hosting the deferred Summit, in the nearest future;
- ii) The hosting of the Summit in Burkina Faso may not be certain, hence the need to allow the Commission to report to the Policy Organs;
- iii) The item should be removed from the agenda of the Executive Council as its consideration by the Policy Organs at this point in time may jeopardize the outcome of the planned Ouagadougou+10 Summit.

116. In conclusion, the PRC recommends to the Executive Council to:

- i) **Take Note** of the fact that the Extraordinary Summit slated to take place in Ouagadougou in September 2014 was postponed indefinitely due to the Ebola crisis;
- ii) **Underscore** the importance and urgency of considering the preparatory documents submitted by the Special Session of the Labour and Social Affairs Commission held in Windhoek, Namibia, in April 2014. The documents in question had been prepared for adoption by the Ouagadougou Extraordinary Summit as part of the post-2015 Development Agenda and the Agenda 2063 process;
- iii) **Request** Burkina Faso, in consultation with the Commission, to set a date for the Extraordinary Summit to be held in Ouagadougou before 30 April 2015;
- iv) **Recommend** that this Agenda item should not be considered by the January 2015 Assembly of the Union for the afore-mentioned reasons.

#### **SECTION VIII: CONSIDERATION OF THE REPORTS OF THE SUB-COMMITTEES OF THE EXECUTIVE COUNCIL**

- 1) **Report of the Ministerial Committee on African Candidatures – Doc. EX.CL/882(XXVI)**

117. This report is to be submitted to the Executive Council by the Ministerial Committees.

#### **SECTION IX: ELECTIONS**

- 1) **Election of Eleven (11) Members of the Advisory Board on Corruption – Doc. EX.CL/833(XXVI)**
- 2) **Election of Seven (7) Members of the African Union Commission on International Law (AUCIL) - Doc. EX.CL/884(XXVI)**
- 3) **Election of the President and the Vice President of the Council of the Pan-African University (PAU) - Doc. EX.CL/885(XXVI)**
- 4) **Selection of the Host country for the Rectorate of the Pan-African University (PAU) - Doc. EX.CL/886(XXVI)**

118. The above Items will be considered by the Executive Council.

**SECTION X: CONSIDERATION OF THE REPORTS OF OTHER AU ORGANS****1. Consideration of the Report on the Activities of the African Commission on Human and Peoples' Rights (ACHPR) – Doc.EX.CL/887(XXVI)**

**119.** The 37th Activity Report of the African Commission on Human and Peoples' Rights (ACHPR) was presented by the Chairperson of the ACHPR.

**120.** At the end of the presentation, Members of the PRC made the following comments and observations:

- i) The ACHPR should not publish communications 426/12 and 392/10 prior to hearing the Government of Rwanda which has introduced an application in this regard. Besides, the two journalists convicted for breaching State security have been freed after serving their sentences;
- ii) With regard to the non-submission of periodic reports by Eritrea, the representative of that country indicated that his Government was working on the said report which would be submitted to the ACHPR in due course. Moreover, Eritrea had requested that a communication filed against it should be dismissed owing to the nature of the matter. ACHPR has not given effect to the application and the communication has been deemed admissible. Consequently, Eritrea has entered reservation on the part of the report dealing with the issue;
- iii) The urgent need for ACHPR to visit the territories of the Saharawi Arab Democratic Republic (SADR) under occupation where human rights deterioration is becoming very grave and is gaining momentum, all pursuant to Executive Council Decision 796;
- iv) A Decision of the Executive Council had requested the AU to open an office in SADR to facilitate the monitoring of human rights violation by the occupying power;
- v) The AU, in pursuance of the principles of self-determination and independence which drives the Organization, should take strong measures to liberate the part of SADR territory under the occupation of Kingdom of Morocco. The AU should therefore not leave the solution of this thorny problem in the hands of the United Nations alone;
- vi) There is need to denounce Morocco's insult to the international community as it plans to organize an international meeting in SADR occupied territories in March 2015;

- vii) Why has ACHPR decided to hold its 56th Session in Addis Ababa? What are the financial implications of this relocation?
- viii) What is the procedure involved in forwarding in sending Letters of Urgent Appeal to Member States? Although Burundi had taken note of the Letter of Urgent Appeal addressed to it in respect of the body found in the lake, it deplores the procedure employed by the ACHPR;
- ix) South Sudan is still awaiting the visit of ACHPR which is now taking time to materialize;
- x) ACHPR should ensure that national remedies have been fully exhausted before accepting to be seized by nationals;
- xi) In paragraph 14, the report mentions the Letter of Urgent Appeal addressed to The Sudan concerning the case of Meriam Yahia Ibrahim sentenced to death for adultery and apostasy whereas the Supreme Court had annulled the judgment of the lower court on grounds of unconstitutionality. The individual concerned has since regained her freedom. That Letter of Urgent Appeal should therefore be expunged from the report;
- xii) In the same paragraph, Mauritania was cited and a Letter of Urgent Appeal was also addressed to it in respect of detention of human rights militants. Mauritania stated that this information is false. Human rights are guaranteed in Mauritania and there is no political prisoner or prisoner of conscience. ACHPR may therefore visit that country to obtain first-hand information on the effectiveness of respect for human rights.

**121.** The Chairperson of ACHPR provided the following clarification on the concerns expressed after thanking all the speakers for their encouragement:

- i) The two communications concerning Rwanda were examined in depth after a decision was taken on the merits, Rwanda asked for oral hearing. It could not obtain this hearing. Rwanda's request could be considered by the Assembly. As a general rule, ACHPR reports on every communication it receives. This was the same case with Eritrea. In fact the latter had addressed a correspondence to ACHPR requesting the dismissal of the communication, whereas the ACHPR had already made a ruling regarding the admissibility of the communication. ACHPR can revisit such rulings only at a later stage in the proceedings;
- ii) ACHPR has visited the SADR territories that are not under occupation and had reported thereon to the Assembly. The African Commission came up against considerable difficulties in visiting the territories under Morocco's occupation, a country that is not AU Member State. It is strongly

recommended that AU and AU Commission help to facilitate access for ACHPR to the territories under Morocco's domination;

- iii) The relocation of the 56th ACHPR from Banjul to Addis Ababa had financial implications and additional funds will be needed, in this regard, where a Member States decide to host a session of ACHPR it bears the additional financial costs;
- iv) Regarding the letters of urgent appeal, ACHPR addressed Member States politely, requesting them to react to allegations made against them by third parties. Often the States did not respond, thereby making it impossible for the ACHPR to corroborate the sources of information. ACHPR was grateful to Mauritania for the invitation extended to visit the country;
- v) The ACHPR took note of the decision of the Sudanese Court of Appeal which quashed the death sentence passed on Meriam Yahya Ibrahim by the First Instance Court for adultery and apostasy, for its inconformity with the Constitution which guarantees the freedom of religion and belief, and asks Sudan to provide a copy of that decision to be incorporated in the report;
- vi) ACHPR could only visit South Sudan provided the country had ratified the African Charter on Human and People's Rights. The visit of ACHPR to a country is meant to assess the status of implementation of the provisions of the Charter;
- vii) Regarding the procedure involved in forwarding letters of urgent appeal deplored by the Ambassador of Burundi, it should be pointed out that the normal channel for forwarding the letters was the diplomatic representation of the Member State in Addis Ababa with a copy of the letter sent to the capital concerned. Unfortunately, in the case in point, the address of the Embassy of Burundi in Addis Ababa used was incorrect for which ACHPR expressed its regret.

**122.** The PRC recommends to the Executive Council to:

- (i) **Take note** of the 37th Activity Report of ACHPR, the recommendations contained therein as well as the observations made by Member States on the report;
- (ii) **Also take note** of the human rights situation on the continent as described in the report; **commend** Member States that have taken the necessary steps to improve the human rights situation in their countries and **urge** all Member States to take the necessary measures in order to respond, in a concerted manner, to the concerns expressed about some situations of human right violations;

- (iii) **Request** ACHPR and the African Court on Human and Peoples Rights (AfCHPR) to reinforce their cooperation and collaboration in order to ensure harmonious implementation of their respective mandates;
- (iv) **Note with appreciation:**
  - a) The submission of the first case to AfCHPR by ACHPR; to this end, authorize the Commission to implement the relevant provisions of the Executive Council Decisions EX.CL/824(XXIV) and EX.CL/c1/351(XI) with regard to members of the Commission representing ACHPR before the African Court;
  - b) The joint efforts made by the two Organs concerning preparations towards the celebration of 2016 as African Human Rights Year, with particular emphasis on the rights of women; to this end, request that the activities relating to the celebration of the Year should be covered in the 2016 budget;
- (v) **Urge** the Commission to expedite the recruitment of staff to fill the vacant positions at the ACHPR within the limits of the available budget;
- (vi) **Request** the ACHPR, in consultation with the host country, to report on progress made regarding the building of permanent headquarters for the ACHPR; **Further Request** the Commission in consultation with ACHPR, to report on the progress made in the establishment of the ACHPR as an independent organ of the AU;
- (vii) **Request** ACHPR to provide the necessary clarifications to the Member States concerned by some paragraphs of the report and the communication contained therein so as to make the corrections deemed necessary and justified;
- (viii) Regarding Communications 426/12 and 392/10 concerning the Government of Rwanda, the PRC **recommends** that the case in question should be expunged from the report of the Commission and that of ACHPR for June-December 2014 until Rwanda is given an opportunity for an oral hearing on the two cases as it requested in the letter dated 29 September 2014 addressed to the ACHPR;
- (ix) **Authorize** the publication of the 37th Activity Report of ACHPR;
- (x) **Reiterate** its grave concern in the face of the continuous illegal occupation of the territories of Western Sahara which have not yet been visited by the ACHPR in pursuance of the decision of the Executive Council on the issue; **demand** the speedy implementation of the United Nations and AU Resolutions in order to guarantee within the shortest possible time, self - determination for the Saharawi people which has been delayed for a long

time; to this end, recommend that the AU should organize some of its activities in the liberated territories of Western Sahara as a sign of solidarity with the Saharawi people in their legitimate **(1)**;

- (xi) **Recommend** to the Assembly to adopt a Special Declaration condemning the holding of Crans Montana Forum in Dakhla in the occupied territory of Western Sahara **(1), (2)**;
- (xii) **Encourage** ACHPR to intensify visits to Member States to promote not only human rights but also to ascertain the veracity of allegations of human rights violations;
- (xiii) **Note** the reservations expressed by Eritrea on paragraph 19 II (a) (v). of the report

**(1) Reservations** by the Republic of Senegal

**(2) Reservations** by the Republic of Senegal and the Republic of Burundi

## **2. Consideration of the Report on the Activities of the African Court on Human and Peoples' Rights (AfCHPR) –Doc. EX.CL/888(XXVI)**

### **a) Activity Report (Doc. EX.CL/888(XXVI))**

**123.** The Report was presented by the President of the African Court on Human and Peoples' Rights. The presentation focused on key issues relating to:

- i) Status of ratification of the Protocol and the deposit of the Declaration accepting the competence of the Court to receive cases from individuals and NGOs;
- ii) Operational functions of the Court, including staff recruitment matters;
- iii) Awareness-creation among stakeholders;
- iv) How the Court relates with the African Commission on Human and Peoples' Rights;
- v) Host Agreement and general recommendations for consideration of the Policy Organs.

**124.** Following the presentation, members of the PRC made comments, observations and sought clarifications as follows:

- i) Concerning Libya's non-compliance with the Court order regarding Provisional Measures issued on 18 March 2013 by the Court, the Libyan



delegation remarked that the Court did not respect the Constitutive Act of the AU as it did not send the documents in question in all the four AU working languages. Expressing its disagreement with the Court's Report, and remarking that non-reply is not the same as non-compliance, the Libyan delegation registered reservation on the contents of the Report as contained in Paragraphs 27, 28, 29, 31, 78, 79 and 87;

- ii) The Court should make comments on the architectural designs for the construction of a permanent site provided it by the Government of the United Republic of Tanzania;
- iii) With respect to recommendation 5 (v) of the Report, where the Court requested for adoption of the four (4) studies, it would be difficult for members of the PRC to lend support for the adoption of documents that were yet to be considered. The studies should be reviewed before passing them on for consideration by the Policy Organs;
- iv) Also, with respect to recommendation 3 (iii) of the Report, requesting Member States to commit to unavoidable compliance with the judgments of the Court, it would be inappropriate to reintroduce an issue that has already been rejected by the Executive Council during its June 2014 Ordinary Session, held in Malabo, Equatorial Guinea;
- v) The reliance of the Court on outsiders for funding of its activities will compromise its independence, hence the urgent need to work out ways by which the activities of the Court would be completely funded by Member States;
- vi) How does the Court select countries when they embark on sensitization and awareness-creation visits?
- vii) The PRC should make recommendations to the Executive Council on the Report submitted by the Court, and not subject the Court to changing the content of its Report.

**125.** Following the comments and observations made by members of the PRC, the President of the Court provided clarifications as follows:

- i) With respect to the issues raised by Libya, even when it is understandable that non-reply is not the same as non-compliance, it is important to note that Libya did not respond to the Court on the issues brought to its attention. Regarding the issue of compliance to dispatching documents in the four (4) AU working languages, it should be noted that the document sent to Libya was in Arabic;

- ii) The Court is grateful to the Government of the United Republic of Tanzania for the provision of the architectural designs for the construction of a permanent site for the Court. The designs will be considered;
- iii) On the four (4) studies recommended for adoption, the Court would be ready to present them for the consideration by the PRC at the latter's convenience;
- iv) With respect to recommendation 3 (iii) of the Report, requesting Member States to commit to unavoidable compliance with the judgments of the Court, it can only be said that the reason for reintroducing it for consideration by the Policy Organs, is because of its exigency, which calls for its reconsideration by the higher bodies;
- v) The Court would be appreciative to obtain its full funding from Member States so as to work independently in the discharge of its duties;
- vi) On the modalities for the selection of countries to go to, on awareness-creation missions by the Court, the Court only attempts to ensure regional balance.

**126.** In conclusion, the PRC recommends to the Executive Council to:

- i) **Take note** of the Report, the recommendations contained therein as well as observations by Member States on this subject and **express satisfaction** with the major activities carried out by the Court during the period covered by the Report;
- ii) **Call Upon** Member States that have not yet ratified/acceded to the Protocol on the Court to do so and request them to make a Declaration in accordance with Article 34(6) of this Protocol before 01 January 2016;
- iii) **Urge** Member States to commit unconditionally and comply with judgements rendered by the Court;
- iv) **Also take note**, with appreciation, of the studies undertaken by the Court, particularly:
  - a. Establishment of a concrete reporting and monitoring mechanism for the Court;
  - b. Institutionalization of a continental judicial Dialogue;
  - c. Establishment of a Legal Assistance Fund;
  - d. 2016 Guidance document as African Year of Human Rights with particular emphasis on Women's Rights. On this subject, the PRC agrees to consider these studies later, including their legal, structural

and financial implications in order to make appropriate recommendations;

- v) **Express** its profound appreciation to the Government of the United Republic of Tanzania for the facilities provided to the Court and measures taken for the construction of a permanent Seat for the Court and **encourage** the United Republic of Tanzania to continue its efforts to this end in order to provide the Court with the Seat as soon as possible to facilitate its operation;
- vi) **Request** the Court to always ensure that all relevant documents are transmitted in the AU working languages;
- vii) **Encourage**, at the same time, Member States to provide all the information requested by the Court within the set deadline;
- viii) **Underscore** the independence of the Court and the consequent need for Member States to provide the Court with sufficient resources for its full operation independently, both with regard to its structures and financial resources and **urge** the PRC Sub-Committees concerned to consider the issue within the framework of the 2016 budget;
- ix) **Take note** of the reservations expressed by Libya regarding paragraphs 27, 30 and 31 of the Report and the recommendations in paragraphs 78 and 79 thereof.

**b) Consideration of other documents submitted by the African Court on Human and Peoples' Rights (AfCHPR) - EX.CL/Dec.806(XXIV)**

**127.** The documents were presented by the Representatives of the African Court on Human and Peoples' Rights.

**128.** After the presentation, Members of the PRC made the following comments and observations:

- i) The process of implementing the decision declaring the year 2016 as the Year of Human Rights with special emphasis on Women's Rights should be accelerated ;
- ii) It is important to involve Member States, all the relevant AU Organs and Regional Economic Communities (RECs) in the preparation process;
- iii) The options proposed for the mobilization of resources should not include assessed contributions of Member States. The option of assessed contributions should not be retained;

- iv) The activities of the Court should first and foremost be financed by Member States and not by Partners;
- v) It is desirable that the commemorations focus on results and not on activities;
- vi) The rights to be promoted during 2016 should be clearly spelled out to avoid confusion or suspicions;
- vii) The expected results are excellent. Nevertheless, it is necessary to concretize them in Member States, some of which have not yet adopted gender policies. It is appropriate at this stage to do everything possible so that these Member States could adopt a gender policy by 2016.

**129.** Reacting to the issues raised, the representatives of the Court provided the following responses:

- a) The Court has no difficulty with regard to abandoning the option proposing the financing of activities planned using assessed contributions of Member States. This is why preference is given to recourse to alternative sources of funding including voluntary contributions by States to finance the activities;
- b) Financing the Court by Partners concerns only programmes. The entire operating budget of the Court is financed from Member States resources;
- c) The observations of the PRC will be taken into account;
- d) As part of the preparation process, it is envisaged to organize a meeting between the PRC and all AU organs responsible for promoting and protecting Human Rights with a view to examining thoroughly all issues pertaining to the celebration of the year 2016 as the Year of Human Rights.

**130.** At the end of the discussions, the PRC recommended the following to the Executive Council:

- i) **Take note** of the studies presented by the Court including:
  - a) The concept note on the Proclamation of the year 2016 as African Year of Human Rights, with special emphasis on Women's Rights;
  - b) The concept note on dialogue of the African judicial systems;
  - c) The proposals regarding the establishment of a concrete reporting and monitoring mechanism on situations of non-compliance with judgements rendered by the Court;

- d) The concept note and the draft statutes of the Legal Assistance Fund of the African Court on Human and Peoples' Rights;
- ii) **Commend** the initiatives of the Court and **encourage** it to continue its efforts in strengthening its visibility in the protection of Human and Peoples' Rights on the continent through:
  - a) Diligent preparation of the programme for the celebration of 2016 as African Year of Human and Peoples' Rights with special emphasis on Women's Rights, in close collaboration with the Commission of the African Union, the African Commission on Human and Peoples' Rights (CADHP) and the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) as well as other stakeholders;
  - b) Promotion of legal assistance and dialogue between the various African judicial systems;
  - c) Strengthening the reporting and monitoring mechanism of situations of non-compliance with judgements rendered;
- iii) **Authorize** the Court to carry out the activities proposed within the framework of the resources already allocated to it and through mobilization of voluntary contributions of Member States;
- iv) **Appeal** to Member States to make voluntary contributions to enable the Court to carry out these activities;
- v) **Underscore** the independence of the Court and **authorize** the latter to mobilize funds from relevant Partners in areas not likely to compromise its independence in the fulfilment of its mandate, as approved by the policy organs of the AU;
- vi) **Call upon** Member States that have not yet done so, to adopt a gender policy, consistent with the Proclamation of the Year 2016 as African Year of Human and Peoples' Rights with special emphasis on Women's Rights.

## SECTION XI: ITEMS PROPOSED BY MEMBER STATES

- 1) **Offer of the Republic of Niger to host the 33rd Ordinary Session of the Assembly of the African Union in June/July 2019** (*Item proposed by the Republic of Niger*) - Doc. EX.CL/889(XXVI) Add.1
- 2) **Offer of the Kingdom of Swaziland to host the 35th Ordinary Session of the Assembly of the African Union in June/July 2020** (*Item proposed by the Kingdom of Swaziland*) – Doc.EX.CL/889(XXVI) Add. 2

**3) Offer of the Republic of Zambia to host the 39th Ordinary Session of the Assembly of the African Union in June/July 2022 (*Item proposed by the Republic of Zambia*)- Doc.EX.CL/889(XXVI) Add.3**

**131.** These items were presented by the representatives of the Republic of Niger, Kingdom of Swaziland and Republic of Zambia, after which PRC proposed to the Executive Council as follows:

- i) **Recommend** to the Assembly of the Union to accept the offer by the following Member States to host the Assembly Sessions indicated hereunder:
  - a) 33rd Ordinary Session of the Assembly of the Union scheduled to take place in Niamey, Niger, in June/July 2019;
  - b) 35th Ordinary Session of the Assembly of the Union scheduled to take place in Ezulwini, Swaziland, in June/July 2020;
  - c) 39th Ordinary Session of the Assembly of the Union due to take place in Lusaka, Zambia, in June/July 2022.

**4) Establishment of the African Centre for Information Technologies (ACIT) with Headquarters in N'djamena, Chad (*Item proposed by the Republic of Chad*) - Doc.EX.CL/889(XXVI) Add.4**

**132.** The report was presented by the Ambassador of the Republic of Chad, after which members of the PRC made comments and observations and sought clarification as follows:

- i) All the delegations that took the floor commended and supported the initiative as it recognises the importance of ICT in the development of the Continent;
- ii) Information was requested as to the ownership of the Centre. Will the Centre belong to the AU or the Chadian Government?
- iii) Detailed information to be provided on the financial implication of administering the Centre, after its establishment. Who will be responsible for funding the Centre?
- iv) Need for a comprehensive feasibility study, including the Centre's legal, administrative and operational modalities.

**133.** The Ambassador of the Republic of Chad provided the following clarification, after expressing his Government's gratitude to all the delegations which had unreservedly given their support to its initiative to host the ACIT:

- i) The ACIT is a megaproject aimed at providing Chadian and African youth with a platform for research, innovation and development of ICT projects;
- ii) The Centre is a gift being offered by the Chadian Government and the AU will ensure pan-African legal personality for it, as well as the mobilization of States and strategic, technical and financial partners;
- iii) The cost of constructing the ACIT will be borne by the Chadian Government, but donors, both bilateral and multilateral financing organizations, will fund the Centre;
- iv) The Centre will be run by a competent management team of people of different nationalities, subject to guidelines issued by a Board of Directors comprising national and international experts;
- v) A feasibility study has been carried out by the Chadian Government.

**134.** In conclusion, the PRC recommends to the Executive Council to:

- i) **Take note** of the proposal by the Republic of Chad to establish an African Centre for Information Technologies (ACIT) with Headquarters in N'djamena, Chad;
- ii) **Commend** the Republic of Chad and its President for this crucial initiative and for the funds already mobilized towards the construction of ACIT with a view to promoting information technologies in Africa, which are critical in the continent's development process;
- iii) **Underscore** the need to conduct an in-depth study on the ways and means to integrate this project into African Union programmes with a precise definition of the inputs expected from the African Union based on an evaluation of the legal, structural and financial implications, and thus submit appropriate recommendations to the competent organs of the African Union;
- iv) In this regard, **Request** the Commission and the Republic of Chad to carry out appropriate consultations to follow up on this vital project and thereby facilitate its consideration by the organs of the African Union.

**5) Proposal by the Arab Republic of Egypt to establish a Mediation Support and Conflict Prevention Unit at the African Union Commission, within Egypt's initiative to support the mediation and conflict prevention capacities of the African Union (*Item proposed by the Arab Republic of Egypt*) - Doc.EX.CL/889(XXVI) Add.5**

**135.** The report was presented by the Ambassador of the Arab Republic of Egypt, after which members of the PRC made comments and observations and sought clarification as follows:

- i) Delegations welcomed Egypt's offer to establish a Mediation Support and Conflict Prevention Unit. However, members wanted to know whether the proposal is premised on shortfalls identified within existing AU peace and security structures;
- ii) Detailed information was requested on the mandate and role of the proposed Unit;
- iii) Concern was raised on the financial implications on Member States;
- iv) The draft proposal should be forwarded to the appropriate Sub-Committee for thorough scrutiny and interrogation;
- v) The Peace and Security Department should update the PRC on the current status of mediation efforts; and
- vi) Egypt's proposal is in line with preventive diplomacy and conflict mediation.

**136.** In conclusion, the PRC recommended to the Executive Council to:

- i) **Take Note** of the Concept Note and the Draft Decisions proposed by Egypt;
- ii) **Welcome** Egypt's invaluable initiative aimed at building AU capacities through the establishment of a Mediation and Conflict Prevention Unit;
- iii) **Underscore** the need to carry out in-depth study on the ways and means, timeliness and feasibility of integrating Egypt's initiative into the existing structures of the African Union Peace and Security Architecture (APSA);
- iv) In this regard, **Recommend** that the Peace and Security Council examine this issue at its sessions and come up with appropriate recommendations together with an evaluation of the legal, structural and financial implications of establishing such a Unit. The implications will subsequently be submitted to the PRC through its relevant Sub-Committees, namely, the Sub-Committee on Structures and the Sub-Committee on Administrative, Budgetary and Financial Matters for appropriate proposals to the Executive Council;



- v) **Request** the Commission and Arab Republic of Egypt to carry out appropriate consultations to follow up on this initiative and facilitate its consideration by the competent organs of the African Union.

**6) Status of preparations for the 11th African Games due to take place in Brazzaville, Republic of Congo in September 2015 (*Item proposed by the Republic of Congo*) - Doc.EX.CL/889(XXVI) Add.6**

**137.** The item was presented by the representative of the Republic of Congo, after which the PRC recommended to the Executive Council to :

- i) **Take Note** of the presentation by the Republic of Congo on the status of preparations for the 11th African Games and the Draft Decision thereon;
- ii) **Commend** the Republic of Congo for the arrangements made to host the African Games in the best possible conditions;
- iii) **Encourage** all Member States to take part in the Games.

**7) Continent-Wide Solidarity against Boko Haram (*Item proposed by the Republic of Niger*) - Doc.EX.CL/889(XXVI) Add.7**

**138.** This item was presented by the Ambassador of the Republic of Niger, after which members of the PRC made comments and observations as follows:

- i) Member States of the Lake Chad Basin Commission and Republic of Benin were commended for their engagement and determination to improve the effective fight against Boko Haram;
- ii) The grave security threat posed by Boko Haram and the need for a regional and continental solidarity to combat terrorism in all its ramifications was underscored;
- iii) There is need to adopt an approach based on the normative instruments of the African Union, especially the mechanisms implemented by the African Centre for the Study and Research on Terrorism and the Nouakchott Process;
- iv) There is need for international mobilization in support of full operationalization of a Multinational Joint Task Force;
- v) A Declaration of support for the fight against Boko Haram should be adopted.

**139.** In conclusion, the PRC recommends to the Executive Council as follows:

- i) **Take Note** of the crucial presentation by Niger on Continent-Wide Solidarity against Boko Haram and the Draft Declaration submitted on this subject;
- ii) **Strongly condemn** the criminal and terrorist activities of Boko Haram;
- iii) **Welcome and support** the efforts deployed by Member States of the Lake Chad Basin Commission and the Republic of Benin for having agreed to deploy national contingents and establish a Joint Military Staff Headquarters for conduct of military operations against Boko Haram terrorist group;
- iv) **Support** the activities carried out under the Nouakchott Process to prevent and combat terrorism in the continent with the support of the Peace and Security Council and the African Centre for the Study and Research on Terrorism (ACSRT) and that of the international community at large;
- v) **Further support** the proposal to get the United Nations Security Council to adopt a resolution authorizing Member States of Lake Chad Basin Commission and the Republic of Benin to deploy a Multinational Joint Task Force for an initial period of twelve months and the establishment by the United Nations Secretary General of a Special Fund to provide requisite financial and logistics support for the operations to the Task Force;
- vi) **Recommend** to the Assembly to adopt a Declaration on this matter.

**8) Transformation of the School of African Heritage to a School with Pan-African Vocation (*Item proposed by the Republic of Benin*) - Doc.EX.CL/889(XXVI) Add.8**

**140.** This item was presented by the Ambassador of the Republic of Benin, after which the PRC recommended to the Executive Council as follows:

- i) **Take note** of the proposal of the Republic of Benin and the Draft Decision thereon;
- ii) **Welcome** the vital initiative of the Republic of Benin and the concrete actions undertaken by that country as part of promotion of African Heritage through the School;
- iii) **Emphasize** the importance for the continent of preserving Africa's cultural heritage pursuant to the objectives of the Charter for African Cultural Renaissance and **Call Upon** all Member States to implement appropriate actions in support of the said objectives;
- iv) **Explore** the ways and means to support the proposal of the Republic of Benin. In this connection, **Invite** the Commission and the Republic of Benin

to carry out appropriate consultations to assess the legal, structural and financial implications and come up with appropriate recommendations for consideration by the competent organs of the African Union at the June 2015 Assembly Session.

**9) Forum for a Culture of Peace in Africa (*Item proposed by the Republic of Angola*) - Doc.EX.CL/889(XXVI) Add.9**

**141.** This item was presented by the Ambassador of the Republic of Angola, after which members of the PRC commended Angola for its initiative and unanimously appreciated the proposal to institutionalize and sustain a culture of peace by implementing a multi-partnership involving all stakeholders.

**142.** In conclusion, the PRC recommends to the Executive Council to:

- i) **Take note** of the Concept Note and Plan of Action for a Culture of Peace in Africa “Take Action for Peace”;
- ii) **Welcome** Angola’s invaluable initiative on an issue crucial to Africa and consistent with the goals of the African Union;
- iii) **Recommend** to the Assembly to provide support to the Forum for a Culture of Peace in Africa.

**10) African Initiative for Education for Peace through Inter-Religious and Inter-Cultural Dialogue (*Item proposed by the Republic of Benin*) - Doc.EX.CL/889(XXVI) Add.10**

**143.** The item was presented by the Ambassador of the Republic of Benin, after which the PRC made comments, observations and sought clarification as follows:

- i) The initiative came at an opportune moment when problems emanating from religious crisis have continued to pose a threat to peace and security;
- ii) The initiative should be supported in order to restore confidence amongst all religious groups;
- iii) The item should be submitted to the Policy Organs for consideration and adoption.

**144.** In conclusion, the PRC recommends to the Executive Council to:

- i) **Take note** of the proposal of the Republic of Benin and the Draft Decision thereon as well as Member States’ observations on this subject;

- ii) **Welcome** the invaluable initiative of the Republic of Benin on an issue critical for the promotion of peace in Africa through inter-religious and inter-cultural dialogue;
- iii) **Support** the initiative and **Recommend** its consideration by the Assembly of the Union.

## **SECTION XII: ADOPTION OF THE DECISIONS OF THE 26TH ORDINARY SESSION OF THE EXECUTIVE COUNCIL**

**145.** This item will be considered by the Executive Council.

## **SECTION XIII: CONSIDERATION OF THE DRAFT AGENDA OF THE 24TH ORDINARY SESSION OF THE ASSEMBLY OF THE UNION**

**146.** This item will be considered by the Executive Council.

## **SECTION XIV: CONSIDERATION OF THE DRAFT DECISIONS AND DECLARATIONS OF THE 24TH ORDINARY SESSION OF THE ASSEMBLY OF THE UNION**

**147.** This item will be considered by the Executive Council

## **SECTION XV: DATE AND VENUE OF THE 27TH ORDINARY SESSION OF THE EXECUTIVE COUNCIL**

**148.** This item will be considered by the Executive Council.

## **SECTION XVI: ANY OTHER BUSINESS**

**149.** No issue was raised under this agenda item.

## **SECTION XVII: ADOPTION OF THE REPORT**

**150.** The PRC met on Sunday 25<sup>th</sup> January 2015 at 18H00 and adopted its Report.

## **SECTION XVIII: CLOSING**

**151.** The Chairperson of the PRC thanked all participants for their invaluable contributions and declared the Twenty-ninth Ordinary Session of the PRC officially closed.

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